

COMMITTEE OF ADJUSTMENT  
AGENDA



Location: COUNCIL CHAMBER

Hearing: FEBRUARY 11, 2016 AT 1:30 P.M.

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

File	Name of Applicant	Location of Land	Ward	Disposition
<u>NEW APPLICATIONS - (CONSENT)</u>				
B-10/16 - B-12/16 A-56/16	RIA PARASKAKIS	2369 CLIFF RD	7	Approved
B-13/16	BATES DESIGN AND BUILD BY AGREEMENT OF PURCHASE & SALE	150 HIGH ST W	1	Approved
B-14/16	DR. FELIX ASEKOMHE MEDICAL CORPORATION INC.	2580 JARVIS ST	7	Approved

NEW APPLICATIONS - (MINOR VARIANCE)

A-43/16	DING LIU	37 PINE AVE S	1	Mar 31
A-44/16	MACIEJ CZAPLINSKI	1490 ROGERSWOOD CRT	2	Approved
A-45/16	TIBOR URAC & WANDA BOGOROS	518 RICHEY CRES	1	Apr 14
A-46/16	PERRUZZA PATRICIA	942 THIRD ST	1	Approved, In Part
A-47/16	PERRUZZA PATRICIA	940 THIRD ST	1	Approved, In Part
A-48/16	KINGS MILL DEVELOPMENT INC	150 RUTLEDGE RD	11	Approved 2 yrs.
A-49/16	TAPES INVESTMENTS LTD.	1440 BLOOR ST	3	Approved
A-50/16	DOMINIK SOBIK	6917 CORDINGLEY CRES	9	Withdrawn
A-51/16	GIUSEPPE AMENTA	6919 CORDINGLEY CRES	9	Approved

DEFERRED APPLICATIONS - (MINOR VARIANCE)

A-390/15	CINDY WENNERSTROM & MARCIN WROBLEWSKI	516 RICHEY CRES	1	Apr. 14
A-454/15	NAJMA ASHRAF	53 EAGLEWOOD BLVD	1	Apr. 28
A-482/15	GRZEGORZ & HANNA KOSCIOW	3214 ROLLING STONE CRT	7	Approved
A-021/16	9310924 CANADA INC	4500 DIXIE RD	3	Approved

## COMMITTEE OF ADJUSTMENT

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

RIA PARASKAKIS

on Thursday, February 11, 2016

Ria Paraskakis is the owner of 2369 Cliff Road being Part of Lot 13, Concession 1, SDS, zoned R3, Residential. The applicant requests the consent of the Committee to the conveyance of a parcel of land proposing a lot frontage of approximately 20.64m (67.71ft.) and a lot area of approximately 550.76m<sup>2</sup> (5927.55sq.ft.). The effect of the application is to create a new lot for residential purposes.

The subject property is also subject to Minor Variance Application 'A' 56/16.

Mr. G. Broll of Glen Schnarr and Associates, authorized agent, attended and presented the application explaining the request to permit the division of the subject property into 4 lots. He advised that all the proposed lots will comply or exceed the minimum lot frontage and lot area requirements. He explained the proposal to construct 4 new detached dwellings on the proposed severed lots. He advised that appropriately sized dwellings in character with the neighbourhood could be constructed on the subject properties and only the northerly property requires a minor variance application to allow for a reduced front yard setback and side yard setback to the second storey of the dwelling due to the irregular shape of the proposed lot. Mr. Broll noted that due to the triangular nature of the proposed lot, the proposed dwelling has been sited to reduce the pinch point at the rear of the dwelling. He presented a preliminary site plan and elevation plan for the Committee's review and consideration.

The Committee reviewed the information submitted with the application.

The Committee reviewed the comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (February 8, 2016),  
City of Mississauga, Transportation and Works Department (February 4, 2016),  
City of Mississauga, Community Services Department, Parks Planning Section (February 8, 2016).

Mr. Broll indicated that he had reviewed the recommended conditions and he consented to their imposition should the application be approved.

Mr. W. Guzda, property owner at 2357 Cliff Road, the adjacent property owner, attended and expressed his concern that the proposed dwellings would visually block the view of his home as his home is significantly set back from the road and the proposed dwellings are going to be constructed forward of his house.

No other persons expressed any interest in the application.

The Committee was satisfied that the proposed lots were of adequate size and configuration and appropriately sized dwelling in character with the neighbourhood could be constructed on them.

The Committee, after considering the submissions put forward by Mr. Broll, the comments received from City staff and the recommended conditions and having reviewed the proposed site plans for the lots are 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 additional 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 February 4, 2016.
4. A letter shall be received from the City of Mississauga, Manager/Supervisor, Zoning Plan Examination, indicating that the "severed" land and "retained" land comply with the provisions of the Zoning By-law with respect to, among other things, lot frontage and lot area, setbacks to existing structures, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" 56/16)
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated February 8, 2016.
6. The Secretary-Treasurer's Certificates under the *Planning Act* shall be issued, simultaneously, with respect to the "severed" land of applications "B"10/16 to "B"12/16.

MOVED BY: D. George

SECONDED BY: D. Reynolds

CARRIED

Application Approved, on conditions as stated.

Dated at the City of Mississauga on February 18, 2016.

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 **MARCH 13, 2016**.

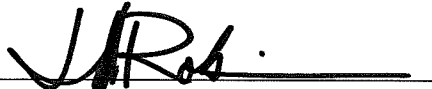
Date of mailing is February 22, 2016.



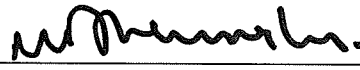
S. PATRIZIO



D. GEORGE



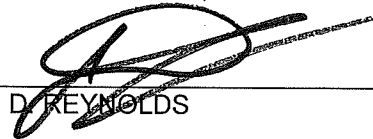
J. ROBINSON (CHAIR)



D. KENNEDY



J. PAGE



D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on February 18, 2016.



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 **February 22, 2017**.

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

RIA PARASKAKIS

on Thursday, February 11, 2016

Ria Paraskakis is the owner of 2369 Cliff Road being Part of Lot 13, Concession 1, SDS, zoned R3, Residential. The applicant requests the consent of the Committee to the conveyance of a parcel of land proposing a lot frontage of approximately 15.81m (51.87ft.) and a lot area of approximately 852.63m<sup>2</sup> (9177.93sq.ft.). The effect of the application is to create a new lot for residential purposes.

The subject property is also subject to Minor Variance Application 'A' 56/16.

Mr. G. Broll of Glen Schnarr and Associates, authorized agent, attended and presented the application explaining the request to permit the division of the subject property into 4 lots. He advised that all the proposed lots will comply or exceed the minimum lot frontage and lot area requirements. He explained the proposal to construct 4 new detached dwellings on the proposed severed lots. He advised that appropriately sized dwellings in character with the neighbourhood could be constructed on the subject properties and only the northerly property requires a minor variance application to allow for a reduced front yard setback and side yard setback to the second storey of the dwelling due to the irregular shape of the proposed lot. Mr. Broll noted that due to the triangular nature of the proposed lot, the proposed dwelling has been sited to reduce the pinch point at the rear of the dwelling. He presented a preliminary site plan and elevation plan for the Committee's review and consideration.

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Mr. Broll indicated that he had reviewed the recommended conditions and he consented to their imposition should the application be approved.

Mr. W. Guzda, property owner at 2357 Cliff Road, the adjacent property owner, attended and expressed his concern that the proposed dwellings would visually block the view of his home as his home is significantly set back from the road and the proposed dwellings are going to be constructed forward of his house.

No other persons expressed any interest in the application.

The Committee was satisfied that the proposed lots were of adequate size and configuration and appropriately sized dwelling in character with the neighbourhood could be constructed on them.

The Committee, after considering the submissions put forward by Mr. Broll, the comments received from City staff and the recommended conditions and having reviewed the proposed site plans for the lots are satisfied that a plan of subdivision is not necessary for the proper and orderly development of the municipality.

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

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MOVED BY: D. George

SECONDED BY: D. Reynolds

CARRIED

Application Approved, on conditions as stated.

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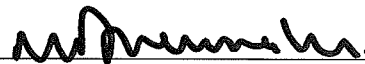
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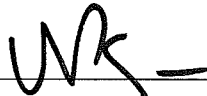
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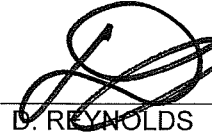
J. ROBINSON (CHAIR)



D. KENNEDY



J. PAGE



D. REYNOLDS



P. QUINN

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DAVID L. MARTIN, SECRETARY-TREASURER

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IN THE MATTER OF AN APPLICATION BY

RIA PARASKAKIS

on Thursday, February 11, 2016

Ria Paraskakis is the owner of 2369 Cliff Road being Part of Lot 13, Concession 1, SDS, zoned R3, Residential. The applicant requests the consent of the Committee to the conveyance of a parcel of land proposing a lot frontage of approximately 15.38.m (50.45ft.) and a lot area of approximately 836.66m<sup>2</sup> (9006.02sq.ft.). The effect of the application is to create a new lot for residential purposes.

The subject property is also subject to Minor Variance Application 'A' 56/16.

Mr. G. Broll of Glen Schnarr and Associates, authorized agent, attended and presented the application explaining the request to permit the division of the subject property into 4 lots. He advised that all the proposed lots will comply or exceed the minimum lot frontage and lot area requirements. He explained the proposal to construction 4 new detached dwellings on the proposed severed lots. He advised that appropriately sized dwellings in character with the neighbourhood could be constructed on the subject properties and only the northerly property requires a minor variance application to allow for a reduced front yard setback and side yard setback to the second storey of the dwelling due to the irregular shape of the proposed lot. Mr. Broll noted that due to the triangular nature of the proposed lot, the proposed dwelling has been sited to reduce the pinch point at the rear of the dwelling. He presented a preliminary site plan and elevation plan for the Committee's review and consideration.

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MOVED BY: D. George

SECONDED BY: D. Reynolds

CARRIED

Application Approved, on conditions as stated.

Dated at the City of Mississauga on February 18, 2016.

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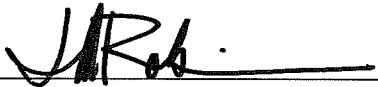
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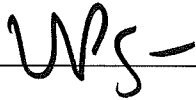
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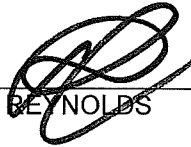
J. ROBINSON (CHAIR)



D. KENNEDY



J. PAGE



D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on February 18, 2016.



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 **February 22, 2017**.

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

RIA PARASKAKIS

on Thursday February 11, 2016

Ria Paraskakis is the owner of 2369 Cliff Road being Part of Lot 13, Concession 1, SDS, zoned R3, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a detached dwelling on the subject property, being the "severed" lands of Consent Application 'B' 10/16, proposing:

1. a front yard of 6.00m (19.68ft.); whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (24.60ft.) in this instance; and,
2. side yards of 1.20m (3.93ft.) to the second storey portion of the dwelling; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (5.93ft.) to the second storey of a dwelling in this instance.

Mr. G. Broll of Glen Schnarr and Associates, authorized agent, attended and presented the application explaining the request to permit the division of the subject property into 4 lots. He advised that all the proposed lots will comply or exceed the minimum lot frontage and lot area requirements. He explained the proposal to construction 4 new detached dwellings on the proposed severed lots. He advised that appropriately sized dwellings in character with the neighbourhood could be constructed on the subject properties and only the northerly property requires a minor variance application to allow for a reduced front yard setback and side yard setback to the second storey of the dwelling due to the irregular shape of the proposed lot. Mr. Broll noted that due to the triangular nature of the proposed lot, the proposed dwelling has been sited to reduce the pinch point at the rear of the dwelling. He presented a preliminary site plan and elevation plan for the Committee's review and consideration.

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

The City of Mississauga Planning and Building Department commented as follows (February 8, 2016):

### **"Recommendation**

The Planning and Building Department has no objection to the requested Consent applications, and associated Minor Variance application, however the applicant may wish to defer the applications in order to verify the accuracy of the requested Minor Variance and to determine whether any additional variances will be required.

### **Background**

#### **Mississauga Official Plan**

Character Area: Cooksville Neighbourhood (East)



## MISSISSAUGA

File: "A" 56/16  
WARD 7

Designation: Residential Low Density I

### Zoning By-law 0225-2007

Zoning: R3 (Residential)

### Other Applications:

Building Permit File: Required

### Comments

The requested Consent applications and associated Minor Variance application seek to create three new lots, for a total of four lots, with frontages that range between 15.38 m (50.46 ft.) and 20.63 m (67.68 ft.), and lot areas between 550.76 m<sup>2</sup> (5927.55 sq.ft.) and 852.63 m<sup>2</sup> (9177.93 sq.ft.). Planning and Building Staff conducted a 120 m test within the immediate area and found the average lot frontage and area to be 18.86 m (61.88 ft.) and 699.49 m<sup>2</sup> (7529.25 sq.ft.), respectively.

The 120 m test is one tool that helps to give a general understanding of neighbourhood lots sizes, within a given area, which is used while considering consent applications. This test is considered in conjunction with other policies from the Zoning By-law and Official Plan and considered against *Planning Act* criteria in section 51 (24).

Three of the four lots exceed the average lot area, and the one that doesn't exceed the lot area exceeds the lot frontage. With regards to the lot with the reduced lot area, it is adjacent to a well vegetated area of the school and has increased frontage to help with the appearance along the frontage. The requested variance seeks a 1.20 m (3.94 ft.) side yard variance for each side yard. The side yard adjacent to the school is a result of two protruding portions of the dwelling. The majority of the dwelling complies on that side. The opposite side yard is internal to the development and maintains adequate access widths of 1.20 m (3.94 ft.). Additionally, the adjacent dwelling has adequate side yard setbacks and the overall appearance of the development should not negatively impact the character of the streetscape. The requested front yard setback is similar, in that only points of the dwelling extend to the 6.00 m (19.68 ft.) mark. Other parts of the front face of the dwelling have increased setback distances. It is our opinion that the decrease in front yard setback should not have a significant impact on the neighbourhood.

The remaining three lots have frontages just less than 16 m (52.49 ft.), but have larger than average lot areas. The proposed dwellings are shown to be constructed without variances and, in our opinion, the lots are adequate sized and fit in with the general character of the area.

Further, all proposed lots meet the zoning by-law provisions regarding lot frontage and lot area for the R3 zone.

Based on the preceding information, the Planning and Building Department has no objection to the requested Consent applications and associated Minor Variance application, provided that the severed and retained lands comply with the provisions of Zoning By-law No. 225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to the existing building(s), on-site parking, etc., or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete. Additionally, we advise that we cannot verify the accuracy of the requested variances and the applicant may wish to defer the application in order to apply for the required Building Permit in order to verify the accuracy of the requested variances."

The City of Mississauga Transportation and Works Department commented as follows (February 4, 2016):

"We are noting for information purposes that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Applications 'B' 10-12/16."

The City of Mississauga Community Services Department commented as follows (February 8, 2016):

"The Park Planning Section of the Community Services Department has reviewed the above noted Consent applications and advise as follows:

City of Mississauga Forestry Staff have attended the site and identified the following City owned trees within the municipal boulevard:

1. Norway Maple, Good Condition, valued at \$5,700.00
2. Green Ash, Treated for EAB and being monitored by Forestry Staff, valued at \$7,000.00
3. Green Ash, Treated for EAB and being monitored by Forestry Staff, valued at \$7,000.00
4. Norway Maple, Good Condition, valued at \$6,800.00

Should the application be approved, this Department wishes to impose the following condition:

1. The applicant shall provide tree protection securities in the amount of \$26,500.00 for the above noted trees.
2. The applicant shall provide tree hoarding to the satisfaction of City of Mississauga Forestry Staff. Please call Ryan Cormier at 905-615-3200 extension 4580 to arrange a hoarding inspection.

In addition, this department notes the following:

Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws."

Mr. W. Guzda, property owner at 2357 Cliff Road, the adjacent property owner, attended and expressed his concern that the proposed dwellings would visually block the view of his home as his home is significantly set back from the road and the proposed dwellings are going to be constructed forward of his house.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Broll and having reviewed the plans and comments received from City staff and the neighbour, is satisfied that the request is desirable for the appropriate further development of the subject property. The Committee noted that the location of the dwelling is appropriate based on the irregular shape of the lot and the proposed front yards of the adjacent proposed dwellings to the south.

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

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

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

MOVED BY:	D. George	SECONDED BY:	D. Reynolds	CARRIED
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Application Approved, as stated.

Dated at the City of Mississauga on February 18, 2016.

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 **MARCH 9, 2016**.

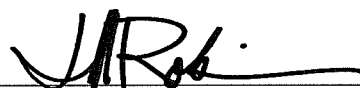
Date of mailing is February 22, 2016.



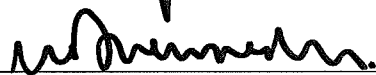
S. PATRIZIO



D. GEORGE



J. ROBINSON (CHAIR)



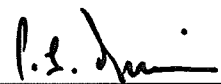
D. KENNEDY



J. PAGE



D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on February 18, 2016.



DAVID L. MARTIN, SECRETARY-TREASURER

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

**NOTES:**

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

## **COMMITTEE OF ADJUSTMENT**

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

IN THE MATTER OF AN APPLICATION BY

**BATES DESIGN AND BUILD**  
**(BY AGREEMENT OF PURCHASE AND SALE)**

on Thursday, February 11, 2016

Bates Design and Build (By Agreement of Purchase & Sale) is the owner of 150 High Street West being part of Lot 43, Registered Plan G-22, zoned RM7, Residential. The applicant requests the consent of the Committee to the conveyance of a parcel of land proposing a lot frontage of approximately 8.49m (27.85ft.) and a lot area of approximately 234.90m<sup>2</sup> (2528.52sq.ft.). The effect of the application is to create a new lot for residential purposes.

Mr. W. Oughtred of W.E. Oughtred & Associates, authorized agent, attended and presented the application to permit the division of the subject property into two parcels to be developed as a semi-detached dwelling in compliance with the RM2 zoning provisions. Mr. Oughtred presented a proposed reference plan and site plan for the Committee's review and consideration.

The Committee reviewed the information submitted with the application.

The Committee reviewed the comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (February 8, 2016),  
City of Mississauga, Transportation and Works Department (February 4, 2016),  
City of Mississauga, Community Services Department, Parks Planning Section (February 8, 2016),  
Region of Peel, Environment, Transportation and Planning Services, Transportation Division (February 8, 2016).

A letter was received from Mr. C. Haneke, property owner at 21 Benson Avenue, expressing his opposition to the application noting his concern with flat roof homes being constructed in the neighbourhood.

Mr. Oughtred indicated that he had reviewed the recommended conditions and he consented to their imposition should the application be approved.

No other persons expressed any interest in the application.

The Committee noted that the proposed division is in character with what is happening in the neighbourhood and the applicant has indicated that no minor variances will be required for the development of a semi-detached dwelling on the property.

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



The Committee, 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 additional 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 February 4, 2016.
4. A letter shall be received from the City of Mississauga, Manager/Supervisor, Zoning Plan Examination, indicating that the "severed" land and "retained" land comply with the provisions of the Zoning By-law with respect to, among other things, lot frontage and lot area, setbacks to existing structures, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated February 8, 2016.

MOVED BY: J. Page

SECONDED BY: S. Patrizio

CARRIED

Application Approved, on conditions as stated.

Dated at the City of Mississauga on February 18, 2016.



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 **MARCH 13, 2016**.

Date of mailing is February 22, 2016.



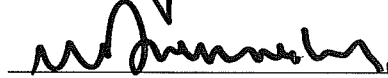
S. PATRIZIO



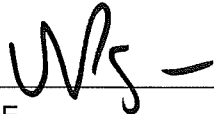
D. GEORGE



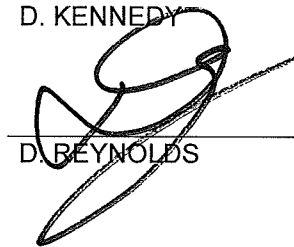
J. ROBINSON (CHAIR)



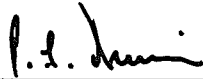
D. KENNEDY



J. PAGE



D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on February 18, 2016.



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 **February 22, 2017**.

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

DR. FELIX ASEKOMHE MEDICAL  
CORPORATION INC.

on Thursday, February 11, 2016

Dr. Felix Asekomhe Medical Corporation Inc. is the owner of 2580 Jarvis Street being Part of Lot 4, Registered Plan TOR 7, zoned R2-22, Residential. The applicant requests the consent of the Committee to the conveyance of a parcel of land having an area of approximately 35.40m<sup>2</sup> (381.05sq.ft.). The effect of the application is to attach the proposed severed lands to the adjacent lands to the west at 2587 Mindemoya Road as a lot addition.

Mr. W. Oughtred of W.E. Oughtred & Associates, authorized agent, attended and presented the application to permit the severance of a small portion of the rear yard of the subject property to be transferred to the adjacent lands in the rear. Mr. Oughtred advised that his client owns both parcels of lands and wishes to realign the lot lines to allow for the construction of a pool in the back yard of the adjacent lot at 2587 Mindemoya Road.

Mr. Oughtred presented a draft reference plan for the Committee's review and consideration.

The Committee reviewed the information submitted with the application.

The Committee reviewed the comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (February 5, 2016),  
City of Mississauga, Transportation and Works Department (February 4, 2016),  
Region of Peel, Environment, Transportation and Planning Services, Waste Management Division (February 8, 2016).

Mr. Oughtred indicated that he had reviewed the recommended conditions and he consented to their imposition should the application be approved.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Oughtred, the comments received and the recommended conditions and having reviewed the comments from City staff, is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the municipality. The Committee noted that the proposed lot addition will provide a correction to the rear lot line that will result in two appropriately shaped lots which are consistent with the lots in the neighbourhood.

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 additional services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager/Supervisor, Zoning Plan Examination, indicating that the "resultant" land and "retained" land comply with the provisions of the Zoning By-law with respect to, among other things, lot frontage and lot area, setbacks to existing structures, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. 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 land shall be "merged" for *Planning Act* purposes [see subsections 50(3) and/or 50(5)].
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. 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.

MOVED BY: P. Quinn

SECONDED BY: D. Kennedy

CARRIED

Application Approved, on conditions as stated.

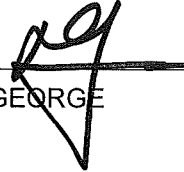
Dated at the City of Mississauga on February 18, 2016.

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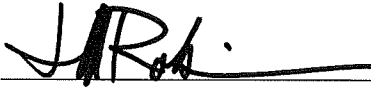
Date of mailing is February 22, 2016.



S. PATRIZIO



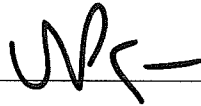
D. GEORGE



J. ROBINSON (CHAIR)



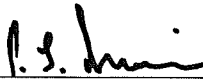
D. KENNEDY



J. PAGE



D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on February 18, 2016.



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 **February 22, 2017**.

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

GRZEGORZ AND HANNA KOSCIOW

on Thursday February 11, 2016

Grzegorz & Hanna Kosciow are the owners of 3214 Rolling Stone Court being Lot 98, Registered Plan M-1317, zoned R5-26, Residential. The applicants request the Committee to authorize a minor variance to permit the construction of a two car garage on the subject property proposing:

1. a garage height of 4.78m (15.68 ft.); whereas By-law 0225-2007, as amended, permits a maximum garage height of 4.60m (15.09ft.) in this instance;
2. a rear yard of 6.74m (22.11 ft.); whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (24.60 ft.) in this instance;
3. a setback of 13.61m (44.65 ft.) to the railway right-of-way; whereas By-law 0225-2007, as amended, requires a minimum setback to the railway right-of-way of 30.00m (98.42ft.) in this instance; and,
4. to allow a driveway width of 8.03m (26.34ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (19.68ft.) in this instance.

On December 3, 2015, Mr. R. Jablonski, of Midtown Technical Services, authorized agent, attended and presented the application. Mr. Jablonski advised that they wish to construct a two car garage with a loft storage area. He presented plans for the Committee's review and consideration. He advised that the garage is located close to the railroad and they have obtained a letter from Canadian Pacific indicating they have no concerns.

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

The City of Mississauga Planning and Building Department commented as follows (November 27, 2015):

"Recommendation:

The Planning and Building Department has no objection to variance #6, however we recommend that all other variances be refused.

Background:

*Mississauga Official Plan:*

*Character Area:* Cooksville Neighbourhood (West)

*Designation:* Residential Low Density II

*Zoning By-law 0225-2007:*

Zoning: "R5-26", Residential

Other Applications:

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

Comments:

We note that a Building Permit is required and in the absence of a Building Permit application, we are unable to verify the accuracy of the requested variance, or determine whether additional variances will be required.

Notwithstanding the above, based on the drawings submitted with this application, the variance requests should be amended as follows:

"2. a garage height to the highest point of the structure of 6.63 m (21.75 ft.); whereas By-law 0225-2007, as amended, permits a maximum garage height of 4.60 m (15.09 ft.) in this instance;"

"4. a minimum setback to front garage face of 6.02 m (19.75 ft.); whereas By-law 0225-2007, as amended requires a minimum setback to a front garage face of 7.00 m (22.97 ft.)."

"5. a rear yard of 5.86 m (19.22 ft.); whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.00 m (23.0 ft.) in this instance;"

"8. to allow a driveway width of 8.53 m (27.98 ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 3.8 m (12.46 ft.) in this instance."

Additionally, it appears that variance #6 is not correct, as the 30 m (98.43 ft.) setback to a railway right-of-way in Section 4.1.7 is applicable to dwellings only and not to accessory buildings. If the applicant is wishing to capture the existing deficiency to the dwelling through this minor variance application the reduction should be from 30 m (98.43 ft.) to 22.8 m (74.80 ft.).

We remind the applicant that despite the numerous comments provided relating to the variances, in the absence of a Building Permit application, we are unable to absolutely verify the accuracy of the requested variances, or determine whether additional variances will be required.

Variances #1, #2, #3, #4, #5, and #7 all relate to the garage structure; the Planning and Building Department has concerns with the overall size of the garage. A detached garage is intended to be an accessory structure to the main dwelling and in this instance the proposed garage would occupy approximately the same sized building footprint as the main dwelling. In addition, the requested height increase of 2.03 m (6.66 ft.), over the permitted 4.60 m (15.09 ft.), would add significant massing to the garage structure increasing its presence. Although the lot is a significant size, a large portion of the northerly side is occupied by a large berm which limits the construction area and functional size of the lot. It is the opinion of the Planning and Building Department that the cumulative effect of multiple setback deficiencies and height and size increases results in a structure that is too large for the subject property and is not a desirable development.

Regarding variance #6, we have no objection to the request to recognize the existing deficiency to the dwelling if that is the applicant's intention. However, as noted above, the variance is not required to the closest point of the garage as it only applies to dwellings.

The increase in driveway width requested in variance #8 is somewhat proportional to the proposed width of the garage of 9.14 m (29.99 ft.). However, it is our opinion that the garage structure is too large the driveway width could be reduced to a size that is proportional to a more appropriately sized garage structure. Although the property is the widest lot in the immediate area and provides adequate additional landscaping area, we are of the opinion that the driveway width should be reduced to be more consistent with what a smaller garage would warrant.

Based on the preceding information, the Planning and Building Department has no objection to variance #6, however we recommend that variances #1, #2, #3, #4, #5, #7, and #8 be refused."

The City of Mississauga Transportation and Works Department commented as follows (November 26, 2015):

"This department acknowledges that there is currently no garage on this property and we would have no objections to the construction of a detached garage, however we do have some concerns with the excessive curb cut which currently exists on this property. From the enclosed photos it is clearly evident that the existing curb cut is much wider than would be required to accommodate a new detached garage with 2 vehicles to be parked on the driveway. In view of the above and should Committee see merit in the applicant's request we would recommend that a condition of approval be that the Transportation and Works Department be in receipt of a revised Site Plan which would accurately depict the proposed garage, driveway area and the exact width of the existing curb cut. Once the requested information has been provided our Traffic Section can review the Site Plan and then be able to determine exactly how much of the existing curb cut needs to be re-instated and satisfactory arrangements could also be made for any required access modifications."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (November 30, 2015):

"This property is within the vicinity of the Mavis Road Landfill Site. Methane gas has been detected but is not currently being monitored. The site is currently being used as a works yard by the City of Mississauga. It is catalogued by the MOECC as A220113."

No other persons expressed any interest in the application.

The Committee expressed concerns with regard to the massing and height of the new garage and noted that the garage occupies almost as much area as the existing dwelling.

Mr. Jablonski advised that the homeowners like to work on their motor vehicles and need enough room to manoeuvre within the garage. He further advised that the loft area is required for storage purposes.

Mr. Jablonski, upon hearing the comments of the Committee and the Planning and Building Department, requested that the application be deferred to allow him an opportunity to modify the garage to address their concerns.

The Committee consented to the request and deferred the application to February 11, 2016.

On February 11, 2016, Ms. H. Kosciow, the property owner, attended and presented the application further noting that since the previous meeting the proposed garage has been reduced in consultation with staff. Ms. Kosciow presented a site plan to the Committee for their review and consideration.

The City of Mississauga Planning and Building Department commented as follows (February 8, 2016):

#### **"Recommendation**

The Planning and Building Department has no objection to the requested variances, as amended, however the applicant may wish to defer the application in order to submit the required Building Permit application in order to verify the accuracy of the requested variances and determine whether any additional variances will be required.

#### **Background**

**Mississauga Official Plan**

Character Area: Cooksville Neighbourhood (West)  
Designation: Residential Low Density II

**Zoning By-law 0225-2007**

**Zoning:** R5-26 (Residential)

**Other Applications:**

Building Permit File: Required

**Comments**

The Planning and Building Department advise that a Building Permit is required and in the absence of a Building Permit application, we are unable to verify the accuracy of the requested variance or determine whether additional variances will be required.

Although we cannot verify the accuracy of the requested variances, it appears that variance #3 should be amended as follows:

"3. a setback of 22.80 m (74.80 ft.) to the railway right-of-way; whereas By-law 0225-2007, as amended, requires a minimum setback to the railway right-of-way of 30.00 m (98.42 ft.) in this instance."

The amendment to this variance would capture the existing deficiency of the setback to the dwelling; the setback to the railway right-of-way does not apply to accessory structures.

This application was previously heard by the Committee at the December 3<sup>rd</sup>, 2015 hearing. At this time staff indicated that we had concerns with the size of the proposed garage and recommended that the applicant redesign. Since the previous hearing the applicant has worked with staff and modified their proposal to address staff concerns and has designed a garage that the Department is able to support.

The proposed height of the garage results in an increase of 0.18 m (0.59 ft.) over what the By-law permits which, in our opinion, is relatively minor and should not have any significant massing impacts to adjacent properties.

Variance #2 is required to the southwest corner of the garage. The condition improves along the rest of the garage structure as a result of an uneven lot line. Based on the location of the garage on the lot and the relatively minor decrease in setback it is our opinion that the request is minor in nature and maintains adequate setback from the property to the rear.

The requested variance for the setback to the railway right-of-way seeks to recognize an existing condition. There is a large existing berm on the lot which helps to separate the railway from the dwelling. Our Department has no objection to recognizing the existing condition in this instance.

Variance #4 requests a driveway width larger than what the Department would generally support, however in this instance we are of the opinion that there would not be a significant impact to the neighbourhood and streetscape as a result of the requested width increase. The driveway is at the end of the court with no adjacent dwelling to the north, centrally located on a very wide lot, and proportional to the width of the garage. It is our opinion that, in this instance, the additional width would not produce an appearance of excessive hard surfaced area.

Based on the preceding information, the Planning and Building Department has no objection to the request variances, as amended, however the applicant may wish to defer the application in order to submit the required Building Permit application in order to verify





## MISSISSAUGA

File: "A" 482/15  
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the accuracy of the requested variances and determine whether any additional variances will be required."

The City of Mississauga Transportation and Works Department commented as follows (February 4, 2016):

"Further to our previous comments we are advising that we have received and reviewed the revised notice and plans recirculated on January 13, 2016 and we are advising that we have no further requirements for the proposal to construct a two car garage on the subject property. We are also noting for information purposes that any Transportation and Works Department requirements for the garage will be addressed through the Building Permit Process."

Mr. M. Flutrel, property owner at 3209 High Springs Crescent, attended and advised that he was also representing the owner Mr. Kerr at 3215 High Springs Crescent advising of concerns with respect to drainage. He expressed concerns that the development of the garage on the property could cause further drainage impacts on their properties. He advised that they are experiencing drainage issues from the subject property, especially since the large berm surface has been changed from grass to a harder landscaped treatment.

No other persons expressed any interest in the application.

Ms. Kosciow, after hearing the comments of the Planning Department and the Committee, requested the application be amended in accordance with their recommendation.

The Committee consented to the requested amendment.

The Committee, after considering the submissions put forward by Ms. Kosciow and having reviewed the revised plans, is satisfied that the amended request is desirable for the appropriate further development of the subject property. The Committee noted that the proposed revised plans are more in scale and character with the neighbourhood and applaud the applicant for reviewing the request with staff and coming back with an appropriate design for the property. They further noted that any drainage issues would be addressed by the Transportation and Works Department through the Building Permit 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 amended request is minor in nature in this instance.

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

1. a garage height of 4.78m (15.68 ft.); whereas By-law 0225-2007, as amended, permits a maximum garage height of 4.60m (15.09ft.) in this instance;
2. a rear yard of 6.74m (22.11 ft.); whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (24.60 ft.) in this instance;
3. a setback of 22.80 m (74.80 ft.) to the railway right-of-way; whereas By-law 0225-2007, as amended, requires a minimum setback to the railway right-of-way of 30.00 m (98.42 ft.) in this instance; and,
4. to allow a driveway width of 8.03m (26.34ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (19.68ft.) in this instance.

This decision is 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. Page	CARRIED
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Application Approved, as amended, on condition as stated.

Dated at the City of Mississauga on February 18, 2016.

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 **MARCH 9, 2016**.

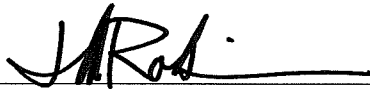
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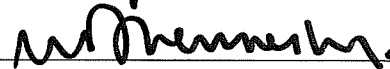
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D. GEORGE



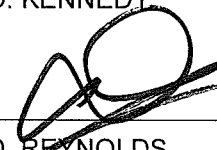
J. ROBINSON (CHAIR)



D. KENNEDY



J. PAGE

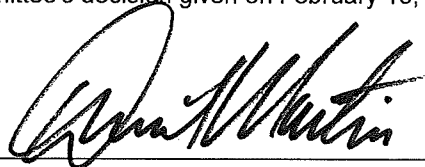


D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on February 18, 2016.



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

9310924 CANADA INC.

on Thursday February 11, 2016

9310924 Canada Inc. is the owner of 4500 Dixie Road being Part of Lot 6, Concession 2, NDS, zoned E2, Employment. The applicant requests the Committee to authorize a minor variance to permit a Habitat for Humanity Re-Use Store within units 11A and 12 of the subject property providing parking at a rate of 1.6 parking spaces per 100.00m<sup>2</sup> (1,076.42sq.ft.) of Gross Floor Area (GFA); whereas By-law 0225-2007, as amended, does not permit such a use and requires parking to be provided at a rate of 5.40 parking spaces per 100.00m<sup>2</sup> (1,076.42sq.ft.) of Gross Floor Area (GFA) in this instance.

On January 14, 2016, Mr. W. Oughtred, of W.E. Oughtred & Associates Inc., authorized agent, attended and requested that the application be deferred. Mr. Oughtred explained that the non-manufacturing/warehousing uses exceed 50.00% of the total gross floor area of the site which generates a need to perform an updated parking calculation. Mr. Oughtred indicated that an additional minor variance may be required for parking.

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

The City of Mississauga Planning and Building Department commented as follows (January 8, 2016):

### "Recommendation

The Planning and Building Department recommends that the application be deferred in order for the applicant to submit a Zoning Certificate of Occupancy application to determine the deficiency in parking for the site.

### Background

#### Mississauga Official Plan

Character Area: Northeast Employment Areas (West)  
Designation: Business Employment

#### Zoning By-law 0225-2007

Zoning: E2, Employment

#### Other Applications:

N/A

#### Comments



## MISSISSAUGA

File: "A" 021/16

WARD 3

The site currently is a manufacturing facility with multiple occupants and a mix of uses. It is primarily used for manufacturing and warehousing uses, but contains other non-manufacturing/warehousing uses. Parking is required to be provided at 1.6 spaces per 100 square metres of gross floor area for all uses on site. However, where the non-manufacturing/warehousing uses exceed 50% of the total gross floor area of the site, parking will be required to be provided for each individual use in accordance with the applicable parking rate specified in the Zoning By-law.

Based on the information submitted with the variance application, it appears that additional variances will be required with respect to parking since the addition of the proposed retail use will result in more than 50% non-manufacturing/warehousing uses on site. Therefore, a parking recalculation based on individual uses will be required. In the absence of a Zoning Certificate of Occupancy application, we are unable to verify the deficiency in parking for the site.

The Planning and Building Department recommends that the application be deferred in order for the applicant to submit a Zoning Certificate of Occupancy application to determine the deficiency in parking for the site.

We note that a Parking Utilization Study that sufficiently justifies the reduction in parking may be required."

The City of Mississauga Transportation and Works Department commented as follows (January 6, 2016):

"This Department has no objections, comments or requirements with respect to C.A. 'A' 21/16."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (January 11, 2016):

"We have no comments and no objections."

An e-mail was received from Councillor C. Fonseca expressing support for the application.

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the application to February 11, 2016.

On February 11, 2016, Mr. W. Oughtred, of W.E. Oughtred & Associates Inc., authorized agent, attended and presented the application further noting a parking study has been reviewed by planning staff and is being supported subject to amended wording. He indicated no issue with the requested amendment proposed in the planning staff comments. Mr. Oughtred presented a site plan noting the location of the use within Unit 11A and 12 on the subject property.

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

The City of Mississauga Planning and Building Department commented as follows (February 10, 2016):

### **"Recommendation**

The Planning and Building Department has no objection to the variances, as amended, however the applicant may wish to defer the application to submit the requested information through the Certificate of Occupancy application in order to verify the accuracy of the variances and determine whether additional variances will be required.

### **Background**

**Mississauga Official Plan**

Character Area: Northeast Employment Areas West  
Designation: Business Employment

**Zoning By-law 0225-2007**

**Zoning:** E2 Employment

**Other Applications:**

Certificate of Occupancy: C 16-135

**Comments**

The subject site is currently a manufacturing facility with multiple occupants and a mix of uses. It is primarily used for a manufacturing and warehousing uses, but contains other non-manufacturing/warehouse uses. Parking is required to be provided at 1.6 spaces per 100 square metres of gross floor area for all uses on site. However, where the non-manufacturing/warehousing uses exceed 50% of the total gross floor area of the site, parking will be required to be provided for each individual use in accordance with the applicable parking rate specified in the Zoning By-law.

Based on the limited information submitted with the Certificate of Occupancy application, it appears that the total non-industrial component would be increased to 6,053.9 square metres, or 63% of the site, and therefore would cause a parking deficiency for the site.

In addition to the requested revised variance, it appears that a further variance is required as follows:

"To not include the Habitat for Humanity Re-Use Store within units 11A and 12 in the calculation of non-manufacturing, non-warehousing/distribution and/or non-wholesaling facility uses in a Multiple Occupancy Mixed Use Building; whereas by-law 225-2007, as amended, would require this use to be considered as a non-manufacturing, non-warehousing/distribution and/or non-wholesaling facility, for the purposes of calculating parking for the subject property, in this instance."

However, more information is required to be submitted through the Certificate of Occupancy application for a detailed zoning review in order to verify the accuracy of the variances and determine whether additional variances will be required.

The applicant has prepared a parking justification letter based on the previous location of the Habitat for Humanity Re-Use Store at 1705 Argentia Road. Planning staff have reviewed the parking justification letter and associated parking survey information, and based on the conclusions reached by the applicant, it appears that there can be sufficient on-site parking for the proposed Re-Use store and other non-industrial uses at peak times for the Re-Use Store.

Given that the Re-Use Store operates similar to a retail-warehouse use, and since the variances are conditional to the exclusive use of the Habitat for Humanity Re-Use Store, the Planning and Building Department have no objection to the variances, as amended. However, the applicant may wish to defer the application to submit the requested information through the Certificate of Occupancy application in order to verify the accuracy of the variances and determine whether additional variance will be required."

No other persons expressed any interest in the application.

Mr. Oughtred, after hearing the comments of the Planning Department and the Committee, requested the application be amended in accordance with their recommendations.

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 use of the subject property. They noted that the requested use is appropriately located and are satisfied that the parking is satisfactory for the subject use at this location based on the findings of the parking study reviewed by Planning staff..

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit a Habitat for Humanity Re-Use Store within Units 11A and 12 of the subject development proposing:

1. parking at a rate of 1.6 parking spaces per 100.00m<sup>2</sup> (1,076.42sq.ft.) of Gross Floor Area (GFA); whereas By-law 0225-2007, as amended, does not permit such a use and requires parking to be provided at a rate of 5.40 parking spaces per 100.00m<sup>2</sup> (1,076.42sq.ft.) of Gross Floor Area (GFA) in this instance; and,
2. to not include the Habitat for Humanity Re-Use Store within units 11A and 12 in the calculation of non-manufacturing, non-warehousing/distribution and/or non-wholesaling facility uses in a Multiple Occupancy Mixed Use Building; whereas By-law 0225-2007, as amended, would require this use to be considered as a non-manufacturing, non-warehousing/distribution and/or non-wholesaling facility, for the purposes of calculating parking for the subject property, in this instance.

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

Dated at the City of Mississauga on February 18, 2016.

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 **MARCH 9, 2016**.


Date of mailing is February 22, 2016.



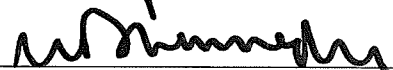
S. PATRIZIO



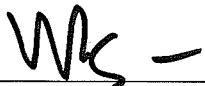
D. GEORGE



J. ROBINSON (CHAIR)



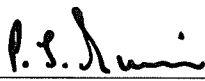
D. KENNEDY



J. PAGE



D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on February 18, 2016.



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  
  
MACIEJ CZAPLINSKI

on Thursday February 11, 2016

Maciej Czaplinski is the owner of 1490 Rogerswood Court being Lot 7, Registered Plan 725, zoned R2-4 - Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a one storey addition to the existing dwelling and an expansion of the existing driveway on the subject property proposing:

1. a dwelling depth of 25.00 m (82.02 ft.); whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00 m (65.61 ft.) in this instance;
2. a driveway width of 9.30 m (30.51 ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00 m (19.68 ft.) in this instance;
3. to permit an existing carport and garage to remain; whereas By-law 0225-2007, as amended, permit only one garage or one carport in this instance; and,
4. a front yard of 8.70m (28.54ft.); whereas By-law 0225-2007, as amended, requires a minimum front yard of 9.00m (29.52ft.) in this instance.

Mr. M. Czaplinski, the property owner, attended and presented the application to permit the construction of additions to the existing dwelling and to permit a widened driveway. Mr. Czaplinski advised that he is the property owner and an Architect and has designed a proposed addition to the existing dwelling which results in a number of minor variances. He noted that the dwelling depth request is a result of how the measurement is taken and the overall depth of the dwelling is only 17.69m (58.03ft.). The proposed front yard relief is to an existing porch condition which is being enclosed. The request for carport and garage to remain is for existing conditions and he indicated they would not be changing these structures. The proposed driveway width request is to allow for 3 cars to be parked in the driveway for added convenience when manoeuvring cars in and out and to allow for an extension of the driveway in the side yard to accommodate the storage of a fishing boat.

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

The City of Mississauga Planning and Building Department commented as follows (February 8, 2016):

### **"Recommendation**

The Planning and Building Department has no objection to requested variances #1, #3, and #4, as amended, however we recommend that variance #2 be refused.

### **Background**

Mississauga Official Plan





## MISSISSAUGA

File: "A" 44/16  
WARD 2

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

### Zoning By-law 0225-2007

Zoning: R2-4 (Residential)

### Other Applications:

Site Plan File: 15/99

### Comments

The Planning and Building Department is currently processing a Site Plan Approval application for the proposed addition. Based on the review of the Site Plan Approval application we advise that variance #4 should be amended as follows:

"a front yard setback of 8.70 m (28.54 ft.) to the proposed addition; whereas By-law 225-2007, as amended, requires a minimum of 9.00 (29.52 ft.) m in this instance."

Generally the Department would not support an increase in dwelling depth of 5.00 m (16.40 ft.) as requested by the applicant, however the depth calculation in this instance is somewhat misrepresented because of the technical interpretation of where the distance is to be measured. There is an imaginary line that continues out from the front corner of the dwelling towards the middle of the driveway where the front point is measured from due to the angled shape of the dwelling. If the measurement is taken from the front wall to the rear wall at any given point of the dwelling, the depth does not exceed 17.68 m (58.01 ft.). Based on the actual orientation of each portion of the dwelling versus the technical interpretation of the depth, we are of the opinion that the variance meets the general intent of the Zoning By-law.

Variance #2 represents an excessive hard surfaced area that extends along nearly the entire side lot line and covers nearly all of the side yard of the dwelling. In our opinion the proposed driveway addition is unnecessary and allows for excessive hard surfaced area. The reduced driveway width would alter the interpretation of the paved area along the side of the dwelling and it would no longer be considered a portion of the driveway and would be subject to different walkway standards. In our opinion the existing driveway, carport, and garage provide adequate parking area and the width increase is not necessary. The garage appears to be front loaded through the carport so the proposed driveway along the side of the dwelling is not a result of an access consideration. We are not satisfied that the requested variance is minor in nature.

The proposed carport and garage combine for a total Gross Floor Area (GFA) of 83.46 m<sup>2</sup> (898.36 sq. ft.) and are located in line with each other and appear to function together. The proposed addition will result in the garage being attached to the dwelling which, if it were one structure, would allow for a maximum GFA of 75 m<sup>2</sup> (807.29 sq. ft.). The combination of both structures would be slightly larger than permitted for a single garage, however they would not dominate the appearance of the front of the dwelling as two garages side by side or on different portions of the dwelling may. Considering the relatively similar size to what would be permitted under the by-law, the relative size of the lot, and the orientation of the garage and carport to each other, we have no objection to requested variance #3.

Variance #4, as amended, is required because the applicant is proposing to enclose the existing front porch. The reduced setback only exists along a portion of the front of the dwelling and is generally a minor decrease in our opinion.

Based on the preceding information, the Planning and Building Department are of the opinion that requested variances #1, #3, and #4, as amended, are minor in nature and maintain the general intent of the Zoning By-law. However, we recommend that variance #2 be refused."



## MISSISSAUGA

File: "A" 44/16  
WARD 2

The City of Mississauga Transportation and Works Department commented as follows (February 4, 2016):

"We note for Committee's information that the City is currently processing a Site Plan Application for this property, Reference SP 15/099. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (February 8, 2016):

"Waste Management – Travis Richards – 905-791-7800 x4760"

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

"Servicing – Iwona Frandsen – 905-791-7800 x7920"

**Comment:** 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. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973. Please note that site servicing approvals will be required prior to the issuance of a building permit."

A letter was received from Mr. R. Webb, a solicitor for the property owner at 1471 Rogerswood Road, expressing his clients concerns and objections with the wider driveway and the access driveway along the side of the dwelling.

No other persons expressed any interest in the application.

Mr. Czaplinski, after hearing the comments of the Committee and the Planning and Building Department comments, requested that the application be amended in accordance with their recommendations. He further noted that the requests relating to the dwelling additions were technical in nature and the driveway request would be convenient for his family.

The Committee consented to amend the application as requested.

The Committee, after considering the submissions put forward by Mr. Czaplinski and having reviewed the plans and comments from City staff and the comment provided by the neighbour's solicitor, is satisfied that three out of the four requests are desirable for the appropriate further development of the subject property. The Committee noted that the requests for front yard relief, dwelling depth and to allow the existing garage and carport to remain are appropriate in this instance. They further advised that the request for increased driveway width was not appropriate in this instance as it would facilitate a significant driveway width which was not in character with the neighbourhood and introduce a significant amount of hard surface in the side yard and would not meet the general intent of the zoning by-law or be minor in nature. The Committee noted that the existence of a garage and carport on the property would be sufficient for the parking needs of the applicant without the need to widen the driveway.

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

The Committee is of the opinion that some of the requested variances are minor in nature in this instance.

Accordingly, the Committee resolves to authorize and grant the request to only permit the construction of a one storey addition to the existing dwelling on the subject property proposing:

1. a dwelling depth of 25.00 m (82.02 ft.); whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00 m (65.61 ft.) in this instance;
2. to permit an existing carport and garage to remain; whereas By-law 0225-2007, as amended, permit only one garage or one carport in this instance; and,
3. a front yard setback of 8.70 m (28.54 ft.) to the proposed addition; whereas By-law 0225-2007, as amended, requires a minimum front yard of 9.00m (29.52 ft.) in this instance.

MOVED BY:	D. George	SECONDED BY:	S. Patrizio	CARRIED
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Application Approved, in part, as stated.

Dated at the City of Mississauga on February 18, 2016.

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 **MARCH 9, 2016**.

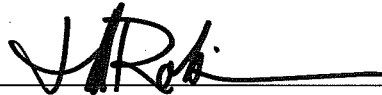
Date of mailing is February 22, 2016.



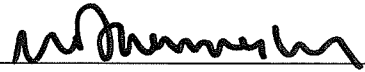
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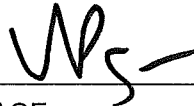
D. GEORGE



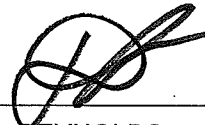
J. ROBINSON (CHAIR)



D. KENNEDY



J. PAGE



D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on February 18, 2016.



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

PATRICIA PERRUZZA

on Thursday February 11, 2016

Patricia Perruzza is the owner of 942 Third Street being part of Lot 23, Registered Plan B-21, zoned R3 - Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a two storey dwelling on the subject property proposing:

1. a westerly side yard of 0.60 m (1.96 ft.) measured to the first storey of the dwelling; whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.20 m (3.93 ft.) measured to the first storey of the dwelling in this instance; and,
2. an easterly side yard of 1.20 m (3.93 ft.) measured to the second storey of the proposed dwelling and a westerly side yard of 0.60m (1.96 ft.) measured to the second storey of the proposed dwelling; whereas By-law 0225-2007, as amended, requires a minimum side yards of 1.81 m (5.93 ft.) measured to the second storey of the proposed dwelling in this instance.

Mr. R. Cheeseman, a Solicitor for the applicant, attended and presented the application to permit the existing dwelling to remain having reduced side yards. Mr. Cheeseman advised that his client had started construction on the dwelling in error and fully understands the nature of proceeding without the issuance of a building permit as noted by the Planning Department in their comments. He advised that his client could be subject to further action by the City. He further noted that a building permit was applied for in October of 2015 but has not been issued. Mr. Cheeseman advised that the dwelling constructed today was the identical one indicated on the plans as part of the Consent application; however, there was an error in the statistics on the site plan where the required side yards were the wrong amounts. This was not caught by his client or by city staff during that application. He further advised that it was their opinion and his client's planner, Mr. Levac who is in attendance at the meeting, that the four tests of the Planning Act are being met and the dwelling is appropriately sited 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 (February 8, 2016):

### **"Recommendation**

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

### **Background**

#### **Mississauga Official Plan**



## MISSISSAUGA

File: "A" 46/16  
WARD 1

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

Zoning: R3 (Residential)

### Other Applications:

Building Permit File: BP 9NEW 15 8035  
BP 9NEW 15 8036

### Comments

The Committee previously heard a Consent application, and associated Minor Variance applications, related to the subject properties on July 9<sup>th</sup>, 2015. At that time staff had concerns with the proposed lot sizes due to insufficient frontages for the R3 zone. The Committee approved the Consent application and associated minor variances under the assumption that reasonable sized dwellings could be constructed on the lots without variances.

The Planning and Building Department comments for the July 9<sup>th</sup>, 2015 hearing indicated that without the benefit of a Building Permit application we were unable to complete a full zoning review to verify the accuracy of the requested variances or to determine whether any additional variances were required. The applicant chose to move forward with the application without the benefit of a review at that time.

Since the previous hearing the applicant has applied for Building Permits and has been notified of the need for an additional variance. The Building Permits have not been issued to date despite the dwellings being well on their way to construction. Staff recently became aware of the illegal construction and as of Thursday February 4<sup>th</sup>, 2016 a Building Inspector has visited the site and issued stop work orders. Enclosed for the Committee's reference are pictures from a recent site visit, conducted February 3<sup>rd</sup>, 2016, showing the extent of illegal construction which has taken place. Picture's #1, #2, and #4 highlight exterior construction and the deficient side yards on either side of the dwelling. Pictures #5 and #6 show the Building Permit which was posted outside the construction site; the permit in question is the demolition permit which was issued for the removal of the dwelling existing previous to last year's Consent application. It appears the applicant has posted two copies of the identical, and no longer relevant, demolition permit next to each other to give the impression that there is a permit for the construction of each dwelling, despite none having been issued by the City; building inspections staff are further investigating. It was also noted by staff during the February 3<sup>rd</sup> site visit that the required notification signs for the Committee of Adjustment hearing were not posted.

The proposed interior side yards of 0.60 m (3.93 ft.) between the two new dwellings are half of what is required for the first storey and one third of what is required to the second storey. The opposite side yards are 1.20 m (3.93 ft.) whereas 1.81 (5.93 ft.) is required to the second storey. The Planning and Building Department are of the opinion that the requested side yards are not adequate for new construction, and there is no good rationale as to why the by-law should not be maintained. Further, the Committee approved the Consent application under the impression that the proposed dwellings were able to comply with the Zoning By-law and given the smaller lot size the dwellings should be scaled to respect the required side yards. The reduction in side yards create a situation where the dwelling is imposing on the neighbouring properties and creates an undesirable excessive massing impact. Additionally the reduced setback is only roughly 33% of what is required for setback distance between the two dwellings, which is not minor, nor does it meet the general intent of the Zoning By-law in our opinion.

Based on the preceding information, the Planning and Building Department are of the opinion that the general intent of the Zoning By-law is not maintained and that the requested variances are not minor in nature; the Department recommends that the application be refused.

The City of Mississauga Transportation and Works Department commented as follows (February 4, 2016):

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

The Region of Peel, Environment, Transportation and Planning Services commented as follows (February 8, 2016):

"Waste Management – Travis Richards – 905-791-7800 x4760

**Comment:** This property is within the vicinity of Canada Post Landfill site. It is an inactive, private landfill located on the southwest corner of Cawthra Rd. and Aviation Rd. It has been cleaned to M.O.E.C.C. standards.

Servicing – Iwona Frandsen – 905-791-7800 x7920

**Comment:** Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973. Please note that site servicing approvals will be required prior to building permit.

The issuance of the consent certificate will be required prior to Site Servicing approvals."

A petition of support was submitted by the applicant from the property owners at 936, 935, 931 & 944 Third Street and 1090 & 1082 Meredith Avenue.

Mr. G. Kirton, Planner for the City of Mississauga, attended and confirmed that zoning comments from the building permit application were released on November 18<sup>th</sup> and 23<sup>rd</sup> and confirmed a building permit has not been issued.

Ms. M. Borowiec, the property owner at 944 Tenth Street, attended and expressed her concerns with respect to the existing dwelling noting that it has reduced the natural light that her property tenants currently enjoy. She noted that on the original application for division of the property, she had signed support provided the applicant provides her plans of the proposal which was not followed up on by the applicant.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Cheeseman, Mr. Kirton and Ms. Borowiec, having reviewed the plans submitted and comments received, is satisfied that the request is desirable for the appropriate further development of the subject property, in part. The Committee is satisfied that the easterly side yard request is appropriate; however the second storey on the easterly side and the westerly side yard side yard to the first storey and second storey are not appropriate development of the property. The Committee noted that the westerly side yard relief for this modern dwelling creates a significant massing on the side yard to the adjacent dwelling and creates a more significant massing presence along the street. Having the reduced side yard in combination with the identical request for the adjacent property further reinforces the inappropriateness of the request which does not meet the intent of the Zoning By-law or Official Plan 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 for part of the request in this instance.

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

Accordingly, the Committee resolves to authorize and grant the request to only permit the construction of a two storey dwelling on the subject property proposing an easterly side yard of 1.20 m (3.93 ft.) measured to the second storey of the proposed dwelling; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81 m (5.93 ft.) measured to the second storey of the proposed dwelling in this instance.

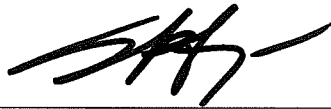
MOVED BY:	S. Patrizio	SECONDED BY:	D. Reynolds	CARRIED
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Application Approved, in part, as stated.

Dated at the City of Mississauga on February 18, 2016.

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 **MARCH 9, 2016**.

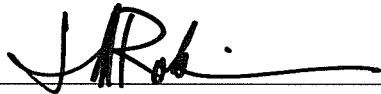
Date of mailing is February 22, 2016.



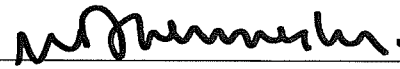
S. PATRIZIO



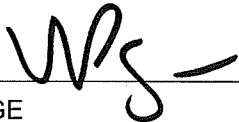
D. GEORGE



J. ROBINSON (CHAIR)



D. KENNEDY



J. PAGE

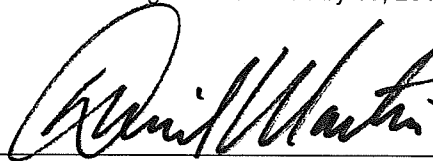


D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on February 18, 2016.



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

PATRICIA PERRUZZA

on Thursday February 11, 2016

Patricia Perruzza is the owner of 940 Third Street being part of Lot 23, Registered Plan B-21, zoned R3 - Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a two storey dwelling on the subject property proposing:

1. a easterly side yard of 0.60 m (1.96 ft.) measured to the first storey of the dwelling; whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.20 m (3.93 ft.) measured to the first storey of the dwelling in this instance; and,
2. an westerly side yard of 1.20 m (3.93 ft.) measured to the second storey of the proposed dwelling and a westerly side yard of 0.60m (1.96 ft.) measured to the second storey of the proposed dwelling; whereas By-law 0225-2007, as amended, requires a minimum side yards of 1.81 m (5.93 ft.) measured to the second storey of the proposed dwelling in this instance.

Mr. R. Cheeseman, a Solicitor for the applicant, attended and presented the application to permit the existing dwelling to remain having reduced side yards. Mr. Cheeseman advised that his client had started construction on the dwelling in error and fully understands the nature of proceeding without the issuance of a building permit as noted by the Planning Department in their comments. He advised that his client could be subject to further action by the City. He further noted that a building permit was applied for in October of 2015 but has not been issued. Mr. Cheeseman advised that the dwelling constructed today was the identical one indicated on the plans as part of the Consent application; however, there was an error in the statistics on the site plan where the required side yards were the wrong amounts. This was not caught by his client or by city staff during that application. He further advised that it was their opinion and his client's planner, Mr. Levac who is in attendance at the meeting, that the four tests of the Planning Act are being met and the dwelling is appropriately sited 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 (February 8, 2016):

### **"Recommendation**

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

### **Background**

#### **Mississauga Official Plan**





## MISSISSAUGA

File: "A" 47/16  
WARD 1

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R3 (Residential)

### Other Applications:

Building Permit File: BP 9NEW 15 8035  
BP 9NEW 15 8036

### Comments

The Committee previously heard a Consent application, and associated Minor Variance applications, related to the subject properties on July 9<sup>th</sup>, 2015. At that time staff had concerns with the proposed lot sizes due to insufficient frontages for the R3 zone. The Committee approved the Consent application and associated minor variances under the assumption that reasonable sized dwellings could be constructed on the lots without variances.

The Planning and Building Department comments for the July 9<sup>th</sup>, 2015 hearing indicated that without the benefit of a Building Permit application we were unable to complete a full zoning review to verify the accuracy of the requested variances or to determine whether any additional variances were required. The applicant chose to move forward with the application without the benefit of a review at that time.

Since the previous hearing the applicant has applied for Building Permits and has been notified of the need for an additional variance. The Building Permits have not been issued to date despite the dwellings being well on their way to construction. Staff recently became aware of the illegal construction and as of Thursday February 4<sup>th</sup>, 2016 a Building Inspector has visited the site and issued stop work orders. Enclosed for the Committee's reference are pictures from a recent site visit, conducted February 3<sup>rd</sup>, 2016, showing the extent of illegal construction which has taken place. Picture's #1, #2, and #4 highlight exterior construction and the deficient side yards on either side of the dwelling. Pictures #5 and #6 show the Building Permit which was posted outside the construction site; the permit in question is the demolition permit which was issued for the removal of the dwelling existing previous to last year's Consent application. It appears the applicant has posted two copies of the identical, and no longer relevant, demolition permit next to each other to give the impression that there is a permit for the construction of each dwelling, despite none having been issued by the City; building inspections staff are further investigating. It was also noted by staff during the February 3<sup>rd</sup> site visit that the required notification signs for the Committee of Adjustment hearing were not posted.

The proposed interior side yards of 0.60 m (3.93 ft.) between the two new dwellings are half of what is required for the first storey and one third of what is required to the second storey. The opposite side yards are 1.20 m (3.93 ft.) whereas 1.81 (5.93 ft.) is required to the second storey. The Planning and Building Department are of the opinion that the requested side yards are not adequate for new construction, and there is no good rationale as to why the by-law should not be maintained. Further, the Committee approved the Consent application under the impression that the proposed dwellings were able to comply with the Zoning By-law and given the smaller lot size the dwellings should be scaled to respect the required side yards. The reduction in side yards create a situation where the dwelling is imposing on the neighbouring properties and creates an undesirable excessive massing impact. Additionally the reduced setback is only roughly 33% of what is required for setback distance between the two dwellings, which is not minor, nor does it meet the general intent of the Zoning By-law in our opinion.

Based on the preceding information, the Planning and Building Department are of the opinion that the general intent of the Zoning By-law is not maintained and that the requested variances are not minor in nature; the Department recommends that the application be refused.

The City of Mississauga Transportation and Works Department commented as follows (February 4, 2016):

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

The Region of Peel, Environment, Transportation and Planning Services commented as follows (February 8, 2016):

"Waste Management – Travis Richards – 905-791-7800 x4760

**Comment:** This property is within the vicinity of Canada Post Landfill site. It is an inactive, private landfill located on the southwest corner of Cawthra Rd. and Aviation Rd. It has been cleaned to M.O.E.C.C. standards.

Servicing – Iwona Frandsen – 905-791-7800 x7920

**Comment:** Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973. Please note that site servicing approvals will be required prior to building permit.

The issuance of the consent certificate will be required prior to Site Servicing approvals."

A petition of support was submitted by the applicant from the property owners at 936, 935, 931 & 944 Third Street and 1090 & 1082 Meredith Avenue.

Mr. G. Kirton, Planner for the City of Mississauga, attended and confirmed that zoning comments from the building permit application were released on November 18<sup>th</sup> and 23<sup>rd</sup> and confirmed a building permit has not been issued.

Ms. M. Borowiec, the property owner at 944 Tenth Street, attended and expressed her concerns with respect to the existing dwelling noting that it has reduced the natural light that her property tenants currently enjoy. She noted that on the original application for division of the property, she had signed support provided the applicant provides her plans of the proposal which was not followed up on by the applicant.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Cheeseman, Mr. Kirton and Ms. Borowiec, having reviewed the plans submitted and comments received, is satisfied that the request is desirable for the appropriate further development of the subject property, in part. The Committee is satisfied that the easterly side yard request is appropriate; however the second storey on the easterly side and the westerly side yard side yard to the first storey and second storey are not appropriate development of the property. The Committee noted that the westerly side yard relief for this modern dwelling creates a significant massing on the side yard to the adjacent dwelling and creates a more significant massing presence along the street. Having the reduced side yard in combination with the identical request for the adjacent property further reinforces the inappropriateness of the request which does not meet the intent of the Zoning By-law or Official Plan 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 for part of the request in this instance.

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

Accordingly, the Committee resolves to authorize and grant the request to only permit the construction of a two storey dwelling on the subject property proposing an westerly side yard of 1.20 m (3.93 ft.) measured to the second storey of the proposed dwelling; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81 m (5.93 ft.) measured to the second storey of the proposed dwelling in this instance.


MOVED BY:	S. Patrizio	SECONDED BY:	D. Reynolds	CARRIED
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Application Approved, in part, as stated.

Dated at the City of Mississauga on February 18, 2016.

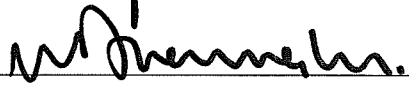
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **MARCH 9, 2016**.

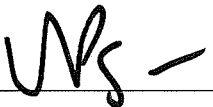
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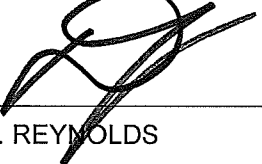
  
S. PATRIZIO

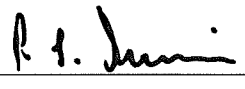
  
D. GEORGE

  
J. ROBINSON (CHAIR)

  
D. KENNEDY

  
J. PAGE

  
D. REYNOLDS

  
P. QUINN

I certify this to be a true copy of the Committee's decision given on February 18, 2016.

  
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

KINGSMILL DEVELOPMENT INC.

on Thursday February 11, 2016

Kings Mill Development Inc is the owner of 150 Rutledge Road being part of Lot 4, Concession 5, WHS, zoned RA2-25 & RA2-26 – Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a temporary sales pavilion on the subject property; whereas By-law 0225-2007, as amended, does not permit a temporary sales pavilion on the subject property in this instance.

Mr. G. Bisnaire, authorized agent, attended and presented the application to permit the construction of a temporary sales pavilion on the subject property. He advised that due to the sales pavilion being located on an adjacent parcel of land which is being developed, the request is required. If the sales pavilion is located on the lands that are being developed, they would not have required the request.

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

The City of Mississauga Planning and Building Department commented as follows (February 8, 2016):

### **"Recommendation**

The Planning and Building Department have no objection to the minor variance application, however we recommend deferral as the applicant may wish to provide site plan approval and a building permit in order to determine whether additional variances are required.

### **Background**

#### **Mississauga Official Plan**

Character Area: Streetsville Community Node  
Designation: High Density Residential

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

Zoning: RA2-26

#### **Other Applications:**

21CDM-M: 170-190 Rutledge Rd (formerly 60 Tannery St) for 63 apartment unit standard condominium

### **Comments**



## MISSISSAUGA

File: "A" 48/16  
WARD 11

We note that Site Plan Approval and Building Permit applications are required and in the absence of a Site Plan Approval application or a Building Permit application, we are unable to verify the accuracy of the requested variance or determine whether additional variances will be required.

The subject property is zoned RA2-26 Residential, temporary buildings and structures, such as the subject temporary sales pavilion, are permitted incidental to ongoing construction on the lot.

The Planning and Building Department have no objection to the minor variance application, however we recommend deferral as the applicant may wish to provide site plan approval and a building permit in order to determine whether additional variances are required."

The City of Mississauga Transportation and Works Department commented as follows (February 4, 2016):

"This Department has no objections to the applicant's request to permit the construction of the temporary sales office."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (February 8, 2016):

"Waste Management – Travis Richards – 905-791-7800 x4760

**Comment:** This property is within the vicinity of DHI landfill site. It is an inactive, private landfill located south of Britannia, west of Queen St.

This property is also within the vicinity of the Streetsville Landfill Site. The site was used for the disposal of waste and was closed in 1957. There has been no evidence to indicate the presence of methane gas or leachate. It is catalogued by the M.O.E as # 7074.

Servicing – Iwona Frandsen – 905-791-7800 x7920

**Comment:** If connection to municipal water and sanitary servicing is required, please contact our Site Servicing Technicians at 905.791.7800 ext.7973 for more information. "

The Credit Valley Conservation commented as follows (January 21, 2016):

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

### **SITE CHARACTERISTICS:**

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

As you may be aware, the subject property is located within a City of Mississauga Natural Areas Survey designated as SV10.

### **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).



## MISSISSAUGA

File: "A" 48/16  
WARD 11

### PROPOSAL:

The applicant requests the Committee to authorize a minor variance to permit the construction of a temporary sales pavilion on the subject property; whereas By-law 0225-2007, as amended, does not permit a temporary sales pavilion on the subject property in this instance.

### COMMENTS:

CVC has reviewed this proposal and determined it is satisfactorily setback from any features of concern. As such CVC has no concerns and **no objection** to the approval of the application by the Committee at this time. A CVC permit (FF 15/356) has been issued for this proposed development.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 380) should you have any further questions or concerns. "

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Bisnaire and having reviewed the plans, is satisfied that the request is desirable for the appropriate further development of the subject property. The Committee noted that the close proximity to the proposed development is appropriate in this instance for a temporary period of time.

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. This decision is authorized and granted for a temporary period of two (2) years to expire and terminate on or before March 31, 2018.

MOVED BY:	P. Quinn	SECONDED BY:	D. Reynolds	CARRIED
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Application Approved, temporarily, on condition as stated.

Dated at the City of Mississauga on February 18, 2016.

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 **MARCH 9, 2016**.


Date of mailing is February 22, 2016.



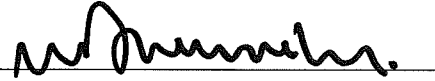
S. PATRIZIO



D. GEORGE



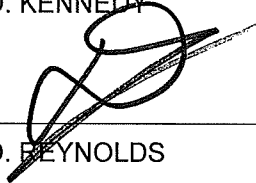
J. ROBINSON (CHAIR)



D. KENNEDY



J. PAGE

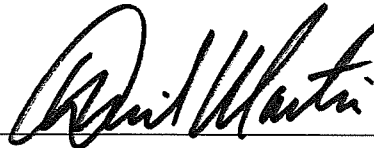


D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on February 18, 2016.



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

TAPES INVESTMENTS LTD.

on Thursday February 11, 2016

Tapes Investments Ltd. is the owner of 1440 Bloor Street being Part of Block E, Plan 729, zoned RA2-56, Residential and RM5-55, Residential. The applicant requests the Committee to authorize a minor variance to permit the existing underground parking stairway to remain on a parcel of land, being the 'retained' land of Consent Application 'B' 008/16, proposing a stair setback of 1.78m (5.83ft.) to the proposed property line; whereas By-law 0225-2007, as amended, requires a minimum setback of 3.00m (9.84ft.) to the proposed property line in this instance.

Mr. P. Favot, authorized agent, attended and presented the application to permit the existing parking garage entrance stairwell to remain having a reduced setback to a property line. Mr. Favot advised that he was previously before the Committee and received approval for a severance of a parcel of land which will front onto Tyneburn Crescent and will be developed for on street townhouses. He advised at that time a minor variance was required to the existing parking garage entrance stairwell but was not able to have the application submitted in time for the consent application. The request before the Committee is the exact request noted at the earlier hearing. The request is a result of the introduction of the new lot line. He noted that there will be no interconnection between the severed parcel and the existing apartment site.

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

The City of Mississauga Planning and Building Department commented as follows (February 8, 2016):

### **"Recommendation"**

The Planning and Building Department have no objection to the minor variance application; however we recommend deferral in order for staff to review the Site Plan application to determine whether additional variances are required.

## **Background**

### **Mississauga Official Plan**

Character Area: Applewood Heights  
Designation: High Density Residential

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

Zoning: RA2-56 and RM5-55

Other Applications:



OZ 11/12: Zoning By-Law Amendment (Rezoning) to permit 10 Street Townhouses

SP 15/090 W3: Improvements to existing apartment site

## Comments

The site is currently a high density residential apartment building. Previously the applicant appealed to the Ontario Municipal Board to rezone and sever a portion of the lands at 1440 Bloor St E to permit the development of ten (10) street townhouse dwellings and maintain the existing apartment building. The City of Mississauga and the applicant reached a settlement and filed a letter of agreement with conditions for Approval of the Zoning By-Law Amendment under O.M.B. Case No. PI 130052.

A Site Plan application has been received, but has not been fully reviewed by staff. We are unable to verify the accuracy of the requested variances, determine whether additional variances will be required.

The requested variance is to permit an existing underground parking stairway less than the required minimum setback to the proposed property line which the Committee provided provisional consent at the February 4<sup>th</sup>, 2016 hearing under file 'B' 008/16. This site is subject to Site Plan Control, and therefore this issue must be addressed prior to site plan approval and/or final and binding consent for severance.

The Planning and Building Department have no objection to the minor variance application; however we recommend deferral in order for staff to review the Site Plan application to determine whether additional variances are required."

The City of Mississauga Transportation and Works Department commented as follows (February 4, 2016):

"This Department has no objections to the applicant's request to permit the existing underground parking stairway to remain."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (February 8, 2016):

"Traffic – Mark Masley – 905-791-7800 x7858

**Comment:** Traffic development staff offers no comments on this minor variance application. Please be aware that comments from the Consent Application and Site-Plan Applications still apply. "

Mr. K. Tran, property owner at 3361 Dixie Road, attended and expressed his concerns with the request and the development of the property.

No other persons expressed any interest in the application.

Mr. Favot, after hearing the comments of the Committee and the Planning Department comments, requested that the Committee proceed with the request as he believed no further minor variance request was required.

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



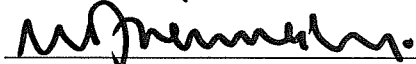


MOVED BY:	D. George	SECONDED BY:	J. Page	CARRIED
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Application Approved.

Dated at the City of Mississauga on February 18, 2016.

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 **MARCH 9, 2016**.

Date of mailing is February 22, 2016.

  
S. PATRIZIO  
D. GEORGE  
J. ROBINSON (CHAIR)  
D. KENNEDY  
J. PAGE  
D. REYNOLDS  
P. QUINN

I certify this to be a true copy of the Committee's decision given on February 18, 2016.

  
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

**GIUSEPPE AMENTA**

on Thursday February 11, 2016

Giuseppe Amenta is the owner of 6919 Cordingley Crescent being part of Lot 5, Registered Plan M-409, zoned RM1-5 - Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a second storey addition to the rear of the existing dwelling on the subject property proposing a easterly side yard of 1.06 m (3.47 ft.) and a westerly side yard of 1.57 m (5.15 ft.); whereas By-law 0225-2007, as amended, requires minimum side yards of 1.81 m (5.90 ft.) to the second storey addition in this instance.

Mr. G. Amenta, the property owner, attended and presented the application to permit the construction of an addition at the rear of the existing dwelling proposing a reduced side yard. Mr. Amenta advised that the existing lot narrows as it approaches the rear of the property and the proposed addition encroaches on a portion of the required side yard as it extends out into the rear yard. Mr. Amenta presented a site plan for the Committee's review and consideration.

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

The City of Mississauga Planning and Building Department commented as follows (February 8, 2016):

### **"Recommendation**

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

### **Background**

#### **Mississauga Official Plan**

Character Area: Meadowvale Neighbourhood  
Designation: Low Density Residential II

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

**Zoning:** RM1-5

#### **Other Applications:**

PREAPP 15-7070

### **Comments**



## MISSISSAUGA

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The Planning and Building Department is currently processing a Pre-Zoning Review application for the proposed addition under file PREAPP 15-7070. Based on the review of the Pre-Zoning Review application we advise that the variance request should be amended as follows;

To permit the construction of a second storey addition to the rear of the existing dwelling on the subject property, proposing a north side yard setback of 1.06m (3.48 ft.) and a south side yard setback of 1.57m (5.15 ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.80m (5.91 ft.) on each side of the second storey addition in this instance.

The neighbouring property at 6917 Cordingley Crescent is requesting a similar variance. The subject property and 6917 Cordingley Crescent are pie-shaped, and the reduced side-yard setbacks represent pinch-points at the rear elevation. In addition, we note the requested variance is in keeping of the neighbourhood context; therefore we believe the request is minor.

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

The City of Mississauga Transportation and Works Department commented as follows (February 4, 2016):

"This Department has no objections to the applicant's request to permit the construction of a second-storey addition to the rear of the dwelling. We are noting for information purposes that any Transportation and Works Department concerns/requirements for this property will be addressed at the time of the Building Permit process."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (February 8, 2016):

"Servicing – Iwona Frandsen – 905-791-7800 x7920

**Comment:** 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. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973. Please note that site servicing approvals will be required prior to the issuance of a building permit."

No other persons expressed any interest in the application.

Mr. Amenta, after hearing the comments of the Planning Department and from the Committee, requested the application be amended in accordance with their recommendations.

The Committee, after considering the submissions put forward by Mr. Amenta and having reviewed the plans, is satisfied that the amended request is desirable for the appropriate further development of the subject property. They noted that the requested relief is only for a portion of the proposed addition and the remainder of it is in compliance with the Zoning By-law.

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

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



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Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of a second storey addition to the rear of the existing dwelling on the subject property, proposing a north side yard of 1.06m (3.48 ft.) and a south side yard of 1.57m (5.15 ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (5.91 ft.) on each side of the second storey addition in this instance.

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

Dated at the City of Mississauga on February 18, 2016.

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 **MARCH 9, 2016**.

Date of mailing is February 22, 2016.

S. PATRIZIO

D. GEORGE

J. ROBINSON (CHAIR)

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on February 18, 2016.

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.