

COMMITTEE OF ADJUSTMENT  
AGENDA



Location: COUNCIL CHAMBER

Hearing: FEBRUARY 11, 2016 AT 4:00 P.M.

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

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

A-52/16	MICHAEL BURKE	259 TRADERS BLVD E	5	Approved
A-53/16	LBS GROUP LIMITED	650 DUNDAS ST E	7	Approved
A-54/16	PCP 313	3075 RIDGEWAY DR	8	Approved
A-55/16	AFZAL NOOR	3414 DORCAS ST	5	Approved
A-57/16	IGOR ANDRIYOVYCH	579 ARBOR RD	1	Approved
A-58/16 – A63/16	CAMILLA COURT HOMES INC.	176,180,185,189,193,197 MATEO PL	7	Approved

**COMMITTEE OF ADJUSTMENT**

IN THE MATTER OF SECTION 45(1) OR (2)  
of The Planning Act R.S.O. 1990, c.P.13, as amended  
- and -  
IN THE MATTER OF ZONING BY-LAW 0225-2007  
as amended  
- and -  
IN THE MATTER OF AN APPLICATION BY

**MICHAEL BURKE**

on Thursday, February 11, 2016

Michael Burke is the owner of 259 Traders Boulevard East being Unit 5, Level 1, Peel Condo Plan 433, zoned E2 - Employment. The applicant requests the Committee to authorize a minor variance to permit the operation of a Personal Service Establishment within Unit #5 of the development on the subject property; whereas By-law 0225-2007, as amended, does not permit a Personal Service Establishment use on the subject property in this instance.

Ms. M. Anozy, authorized agent, attended and presented the application to permit the operation of a Personal Service Establishment within Unit #5 of the development on the subject property. Ms. M. Anozy owns and has been operating her aesthetics studio for some time. Ms. M. Anozy explained that she works on a single client at any given time by appointment, specializing in skin care.

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 with requested variance.

**Background**

**Mississauga Official Plan**

Character Area: Gateway Employment Area East  
Designation: Business Employment

**Zoning By-law 0225-2007**

**Zoning:** E2

**Other Applications:**

Zoning Certificate: 15-6116

**Comments**

Based on the information provided with the Zoning Certificate application, the requested variance is correct.

The subject site is a multiple-occupancy mixed use building which is primarily used for industrial uses, but contains other non-industrial uses such as a law and real estate office.

Personal services establishments are generally permitted in commercial zones. However, on review of the current occupants and given the relatively small floor area of the proposed personal service establishment in relation to the entire building, it is our opinion that the site will continue to be primarily used for industrial uses. Therefore, the Planning and Building Department have no objection with the requested variance."

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

"If the proposed use requires any service upgrade/alteration, please contact our Site Servicing Technicians at 905.791.7800 ext.7973 for more information."

No other persons expressed any interest in the application.

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

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

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

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







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

LBS GROUP LIMITED  
on Thursday, February 11, 2016

LBS Group Limited is the owner of 650 Dundas Street East being Part of Lot 11, Concession 1, S.D.S., zoned C3-1, Commercial. The applicant requests the Committee to authorize a minor variance under Section 45(2) of the Planning Act to permit an enlargement of the existing legal non-conforming use (retail warehouse for lumber and building supplies) to permit the installation of an exterior cantilever racking system to be constructed in the exterior outdoor storage yard and remove and replace the existing racking; whereas By-law 0225-2007, as amended, does not permit the outdoor storage use in a C3-1, Commercial zone in this instance.

Ms. C. Spears, authorized agent, attended and presented the application to replace the existing outdoor storage racking with new cantilevered racking supported by a concrete reinforced pad at the existing Rona lumber and building supply store which has been operating for many years on the subject property. Ms. Spears explained that her client applied for a building permit in September of last year and the Zoning department during their review requested the applicant apply to the Committee to rectify an existing legal non-conforming use and bring the site into compliance with the zoning by-law.

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

The City of Mississauga Planning and Building Department commented as follows (February 5, 2016):

### **"Recommendation**

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

### **Background**

#### **Mississauga Official Plan**

Character Area: Dixie Employment Area  
Designation: Mixed Use

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

**Zoning:** C3-1 (Commercial)

#### **Other Applications:**

Building Permit File: 15-7449

## Comments

The Planning and Building Department is currently processing a Building Permit application for the proposed outdoor storage expansion. Based on the review of the Building Permit application we advise that the variance request should be amended as follows:

"1. to permit outdoor storage and display accessory to the existing retail warehouse use; whereas By-law 0225-2007, as amended, does not permit outdoor storage and display in a C3-1 zone in this instance."

The existing Rona store has existing non-conforming outdoor storage areas which they are seeking to expand and rebuild. The outdoor storage is located in various areas around the site. The parcel is bounded by Dundas, Cawthra and the railway tracks with no other properties adjacent to the site. The narrow portion of the site where the railway meets Dundas is recessed further away from Dundas Street than the rest of the site and Cawthra is depressed below Dundas along the eastern boundary of the property. The existing condition of outdoor storage has not been a concern historically, and the proposed expansion of the existing non-conforming use is not expected to cause additional concern. The location and size of the site in relation to neighbouring properties and the major adjacent roadways allows an opportunity for some controlled outdoor storage that would not normally be desirable on a C3 zoned property. Additionally large portions of the site are well screened as a result of a combination of fencing, vegetation, and natural elevation changes.

Based on the preceding information, the Planning and Building Department has 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 which we understand is to replace the existing racking system in the yard area and also construct a new cantilever racking system and concrete pad."

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

"Should this application require site servicing approvals, please note the following requirements:

- As per Region of Peel Storm Sewer Design Criteria 2.0, "No additional storm drainage shall be conveyed to the Region of Peel's Right of Way".
- As per Region of Peel Storm Sewer Design Criteria 2.0 "No grading will be permitted within any Region of Peel Right-of-Way to support adjacent development"
- As per Region of Peel Storm Sewer Design Criteria 3.0 "Post-Development flows must be equal to or less than Pre-Development levels"

No other persons expressed any interest in the application.

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

The Committee consented to amend the application and, after considering the submissions put forward by Ms. C. Spears and having reviewed the site plan, is satisfied that the amended request is desirable for the appropriate further development of the subject property.

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit outdoor storage and display accessory to the existing retail warehouse use; whereas By-law 0225-2007, as amended, does not permit outdoor storage and display in a C3-1 zone in this instance.


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

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

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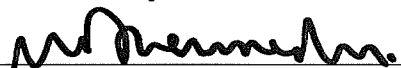
S. PATRIZIO



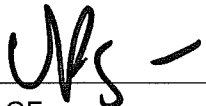
D. GEORGE



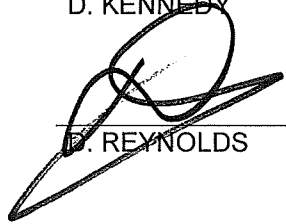
J. ROBINSON (CHAIR)




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

PEEL CONDOMINIUM CORPORATION

on Thursday, February 11, 2016

Peel Condominium Corporation 313 is the owner of 3065 & 3075 Ridgeway Drive being Peel Condo Plan 313, zoned C3-46 - Commercial. The applicant requests the Committee to authorize a minor variance to permit the establishment of a commercial school within Unit 30 of the subject development proposing a total of 259 parking spaces for all uses on site; whereas By-law 0225-2007, as amended, requires a minimum of 439 parking spaces all uses on site in this instance.

Mr. N. Dell, authorized agent, attended and presented the application to permit the establishment of a commercial school within Unit 30 of the subject development. Mr. N. Dell summarised the results of a parking study completed in support of the application and stated that the study determined that there was sufficient parking available to meet the parking demand of the proposed school. Mr. N. Dell concluded by stating that the application is minor in nature.

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

The City of Mississauga Planning and Building Department commented as follows (February 5, 2016):

### **"Recommendation**

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

### **Background**

#### **Mississauga Official Plan**

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

Zoning By-law 0225-2007

Zoning: C3-46 (Commercial)

#### **Other Applications:**

Certificate of Occupancy File: 15-8160



## Comments

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

A parking study prepared by Beacon Planning Services, dated January 11, 2016, has been reviewed by Planning Staff, who have found that the requested reduction in parking can be satisfactorily justified. Previous variances have been granted multiple times over the past five years for other units within the building. During that time, the provided number of parking spaces has not changed, but as a result of tenancy changes, the required number of parking spaces has increased slightly, which has triggered the need for additional variances. The provided parking study adequately shows that the proposed commercial school will not put excessive demand on the existing parking, and as a result the variance can be supported.

Based on the preceding information, the Planning and Building Department has no objection to the requested variance."

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

"If the proposed use requires any service upgrade/alteration, please contact our Site Servicing Technicians at 905.791.7800 ext.7973 for more information."

Mr. R. Felice, a representative of Costco Wholesale, a neighbouring property located at 3180 Laird Road attended and presented concern about the application potentially resulting in the spillover of parking from the property of the proposed school onto the Costco site.

The Committee assured Mr. R. Felice that a parking study was completed by the applicant and review by the City Planning Department to assess the current parking supply and demand on the subject property and that any additional demand created by the school use could be sufficiently accommodated within the existing parking spaces provided by the subject property.

No other persons expressed any interest in the application.

Mr. N. Dell responded to questions from the Committee and stated that the school will only be operating during the week in the evenings and on Saturdays.

The Committee, after considering the submissions put forward by Mr. N. Dell 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 subject to the following condition:

1. The hours of operation for the commercial school (dance school) shall be limited as follows:
  - a. Weekdays = 4:00 to 8:00pm;
  - b. Saturday = 11:00 am to 8:00pm;
  - c. Sunday = 2:00pm to 8:00pm.


MOVED BY:	S. Patrizio	SECONDED BY:	D. George	CARRIED
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Application Approved, on condition as stated.

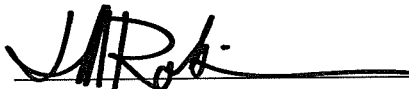
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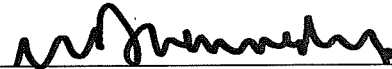
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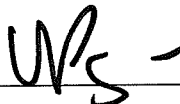
Date of mailing is February 22, 2016.

  
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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  
  
AFZAL NOOR

on Thursday, February 11, 2016

Afzal Noor is the owner of 3414 Dorcas Street being Lot 311, Plan 566, zoned R3, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of an addition to the existing dwelling proposing:

1. an existing lot area of 633.75m<sup>2</sup> (6,821.85sq.ft.); whereas By-law 0225-2007, as amended, requires a minimum lot area of 720.00m<sup>2</sup> (7,750.26sq.ft.) in this instance;
2. an existing lot frontage of 15.20m (49.86ft.); whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 19.50m (63.97ft.) in this instance; and,
3. an exterior side yard of 1.77m (5.80ft.) to the porch and step, 4.50m (14.76m) to the existing dwelling, and 4.50m (14.76ft.) to the proposed second storey; whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00m (19.68ft.) in this instance.

Mr. D. Roychaudhuri, authorized agent, attended and presented the application to permit the construction of an addition to the existing bungalow on the subject property. The requested variances include permitting a lot area that is smaller than the minimum required lot area; a smaller lot frontage and smaller exterior side yards, than permitted by the zoning bylaw. Mr. D. Roychaudhuri explained that the requested variances address the current condition as well as the new addition to the rear and second storey of the existing home.

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 requested variances; however the applicant may wish to defer the application in order to submit the revised drawings to the Pre-Zoning Application for a detailed zoning review to verify the accuracy of the requested variances and determine whether additional variances will be required.

### **Background**

#### **Mississauga Official Plan**

Character Area: Malton Neighbourhood  
Designation: Residential Low Density I



## MISSISSAUGA

File: "A" 55/16  
WARD 5

### Zoning By-law 0225-2007

**Zoning:** R3

### Other Applications:

**Pre-Zoning Application: PZON 15-7294**

### Comments

Based on the review of the Pre-Zoning Application we advise that more information is required to verify the accuracy of the requested variance or determine whether additional variances will be required. Furthermore, the site plan drawings submitted with the Committee of Adjustment application don't correspond with the drawings submitted to the Zoning Section for review.

Zoning By-law No. 0225-2007, as amended, defines one dwelling unit as having one kitchen, and not more than one kitchen. The Pre-Zoning Application is for one dwelling, therefore it appears that an additional variance for the second kitchen is required. In addition, it appears that further variances may be required with the revised site plan drawings.

The variances for deficient lot frontage and lot area is to recognize an existing condition, therefore we have no concerns.

The proposed second storey addition is being constructed over the existing dwelling footprint. Since the proposed second storey addition is not causing a further exterior side yard deficiency and the proposed porch and step has minimal impact on the streetscape, we are of the opinion that the variances are in minor in this instance.

The Planning and Building Department have no objection to the requested variances; however the applicant may wish to defer the application in order to submit the revised drawings to the Pre-Zoning Application for a detailed zoning review to verify the accuracy of the requested variances and determine whether additional variances will be 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 an addition to the existing 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 building permit."

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

"This property is within the vicinity of a private landfill site with M.O.E.C.C. # 7073. It is an inactive landfill site. There are two locations between Goreway and Airport, north of Derry Rd."

The Toronto and Region Conservation Authority (TRCA) commented by email as follows (January 28, 2016):

"This letter will acknowledge receipt of the above noted application. Thank you for the opportunity to review this application (received on January 22, 2015). Toronto and Region Conservation Authority (TRCA) staff has reviewed the above noted application, and as per the "Living City Policies for Planning and Development within the Watersheds of the TRCA" (LCP), provides the following comments as part of TRCA's commenting role under the *Planning Act*, the Authority's delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the *Provincial Policy Statement, 2014* (PPS); TRCA's Regulatory Authority under Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and our



## MISSISSAUGA

File: "A" 55/16  
WARD 5

Memoranda of Understanding (MOU) with the City of Mississauga and the Region of Peel wherein we provide technical environmental advice.

### **Purpose of the Application**

It is our understanding that the purpose of this application is to request the following variances:

1. An existing lot area of 633.75 sq. m. (6,821.85 sq. ft.), whereas by-law 0225-2007, as amended, requires a minimum lot area of 720.00 sq. m. (7,750.26 sq. ft.) in this instance;
2. An existing lot frontage of 15.20 m. (49.86 ft.), whereas by-law 0225-2007, as amended, requires a minimum lot frontage of 19.50 m. (63.97 ft.) in this instance; and,
3. An exterior side yard of 1.77 m. (5.80 ft.) to the porch and step, 4.50 m. (14.76 m.) to the existing dwelling, and 4.50 m. (14.76 ft.) to the proposed second storey, whereas by-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00 m. (19.68 ft.) in this instance.

It is TRCA's staff understanding that the variance is required to facilitate the construction an addition to the existing dwelling.

### **Recommendation**

On the basis of the comments noted below, TRCA staff supports **conditional approval** to the above noted application subject to the following condition:

1. The applicant submits the variance application fee of \$315.00 payable to the Toronto and Region Conservation Authority.

### **Application Specific Comments**

#### **Ontario Regulation 166/06:**

A portion of the property is located within TRCA's Regulated Area of the Mimico Creek Watershed and therefore subject to Ontario Regulation 166/06 (as amended) and the policies within TRCA's LCP. On this basis, a TRCA permit is required from this Authority prior to any works commencing on the subject site. Please be advised that TRCA has issued a permit (Permit No. C-150427) to facilitate the construction of the proposed works on the subject property under Ontario Regulation 166/06 on June 24, 2015. As such, TRCA staff has no concern with the application as currently submitted.

Please note that TRCA has an interest in all future development on the above mentioned property as it may be subject to a TRCA permit.

### **Fees**

In addition to regulatory responsibilities, TRCA has a role as a commenting agency for Planning Act applications circulated by member municipalities to assess whether a proposed development may be impacted by the TRCA.

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$315.00 (screening assessment) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

### **Conclusion**

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Should you have any additional questions or comments, please do not hesitate to contact the undersigned."

No other persons expressed any interest in the application.

Mr. D. Roychaudhuri, after hearing the comments of the Committee and the Planning and Building Department, explained that he submitted his drawings for a pre-application and based on that response he applied to the Committee of Adjustment with some revisions to his plans. Mr. D. Roychaudhuri submitted the applications and plans as requested by Staff.



## MISSISSAUGA

File: "A" 55/16  
WARD 5

Mr. D. Roychaudhuri insisted he is only applying for the variances that are before the Committee and that he wished to proceed with those variances

The Committee, after considering the submissions put forward by Mr. D. Roychaudhuri, 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**.

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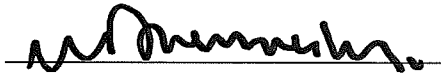
S. PATRIZIO



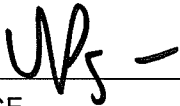
D. GEORGE



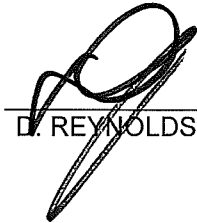
J. ROBINSON (CHAIR)



D. KENNEDY



J. PAGE

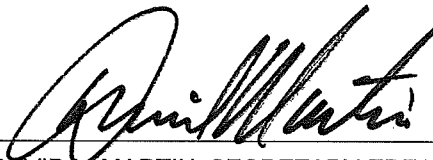


D. REYNOLDS



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

IGOR ANDRIYOVYCH

on Thursday, February 11, 2016

Igor Andriyovych is the owner of 579 Arbor Road being Lot 7, Registered Plan 412, zoned R3-1, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new detached dwelling on the subject property proposing:

1. a total Gross Floor Area - Infill Residential of 360.73m<sup>2</sup> (3882.99sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum Gross Floor Area - Infill Residential of 328.84m<sup>2</sup> (3539.72sq.ft.) in this instance,
2. a westerly side yard of 1.65m (5.41ft.) to the first storey; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (5.90ft.) in this instance; and,
3. a combined width of side yards of 2.85m (9.35ft.); whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 3.60m (11.81ft.) in this instance.

Mr. J. Petrykowski, authorized agent and architect attended and presented the application to permit the demolition and construction of a new dwelling on the subject property. Mr. Petrykowski described the requested variances for increasing the total Gross Floor Area 31.0m<sup>2</sup> (333.68ft<sup>2</sup>) beyond what the zoning bylaw permits, a reduction in the westerly side yard from 1.80m (5.90ft.) to 1.65m (5.41ft.) and a reduction in the combined width of side yards below the minimum requirements imposed by the zoning bylaw. Mr. J. Petrykowski stated that he has been designing homes in the area for over 30 years and discussed the rationale and justified from an urban perspective on each of the variances requested and why they are appropriate for the development of the property and are minor in nature.

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

The City of Mississauga Planning and Building Department commented as follows (February 5, 2016):

### **"Recommendation"**

The Planning and Building Department recommends that the application be deferred in order for the applicant to redesign the dwelling to address staff concerns, as well as to submit additional information through the Site Plan Approval application process to verify the accuracy of the requested variances, and to determine what additional variances will be required.

### **Background**

#### **Mississauga Official Plan**

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density II



**Zoning By-law 0225-2007**

**Zoning:** R3-1 (Residential)

**Other Applications:**

**Site Plan Approval File:** SPI 15-84

**Comments**

The Planning and Building Department is currently processing a Site Plan Approval application for the proposed replacement dwelling. Based on the review of the Site Plan application we advise that more information is required to determine whether additional variances will be required. The three variances which were requested are correct, however it appears additional variances will be required.

It appears that there may be a variance required for encroachment of the window wells as well as the side yard setback to the garage on the easterly side. Additional information has been requested regarding the garage dimensions and the eave overhang.

Although we are unable to verify what additional variances will be required, the Planning and Building Department has concerns with the requested variances. The applicant is requesting variances for Gross Floor Area (GFA), the westerly side yard, and the combined width of side yards; it also appears that a variance is required for the easterly side yard. Although the requested variances appear to be relatively minor decreases, it is our opinion that the combination of both side yards as well as the GFA increase have a cumulative impact that represents overdevelopment of the lot. The lot is not an undersized lot and since it is a complete new build, a dwelling should be able to be constructed without the need for the proposed increase in size and decrease in multiple setbacks.

Based on the preceding information, the Planning and Building Department recommends that the application be deferred in order for the applicant to redesign the dwelling to address staff concerns, as well as to submit additional information through the Site Plan Approval process in order to determine what additional variances will be required."

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 15/084. 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):

"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 building permit.

Mr. H. Camillus, a property owner located at 583 Arbor Road, attended and presented concerns and objections to the application. Mr. H. Camillus expressed concern about the overall size of the proposed home and that it was not necessary or appropriate for the lot and was out of character with the existing homes which are primarily bungalows.

No other persons expressed any interest in the application.

Mr. J. Petrykowski, after hearing the comments of the Committee and the Planning and Building Department, requested to proceed with the application and variances as requested.



File: "A" 57/16  
WARD 1

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

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

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

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

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



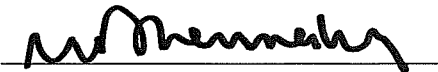
S. PATRIZIO



D. GEORGE



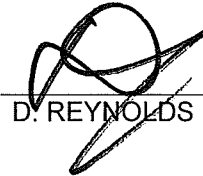
J. ROBINSON (CHAIR)



D. KENNEDY



J. PAGE

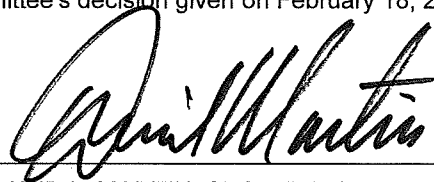


D. REYNOLDS



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.



File: "A" 58/16  
WARD 7

## 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

CAMILLA COURT HOMES INC.

on Thursday, February 11, 2016

Camilla Court Homes Inc. is the owner of 176 Mateo Place being Part of Block A, Registered Plan A-27, zoned R16-5, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new detached dwelling on the subject property proposing a 2.20m (7.21ft.) encroachment of a porch, inclusive of stairs, into the required front yard; whereas By-law 0225-2007, as amended, permits a maximum porch encroachment, inclusive of stairs, of 1.50m (4.92ft.) into the required front yard in this instance.

Mr. G. Broll, authorized agent attended and presented the application to permit the construction of a new dwelling on the subject property which is part of a larger development and has been subject to a rezoning and a lengthy review process with the City's planning department over the last few years. Mr. G. Broll described the requested variance to permit a 2.20m (7.21ft) encroachment of a new porch and associated stairs into the front yard whereas the bylaw permits 1.50m (4.92ft.). Mr. G. Broll explained this was a result of a site condition that recently become apparent and resulted in a modified design as a result of a high water table that required the ground floor level to be elevated and an additional step to be added to the front porch stairs. Mr. G. Broll further advised the Committee that Staff have identified an additional variance to permit the encroachment of stairs to access a basement walk-out was required and requested that the application be amended accordingly. Mr. G. Broll concluded that the requested variances are appropriate for the development of the subject property and are minor in nature.

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

The City of Mississauga Planning and Building Department commented as follows (February 11, 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 apply for a Pre-Zoning Review application or a Building Permit in order to verify the accuracy of the requested variances, and to determine whether any additional variances will be required.

### **Background**

#### **Mississauga Official Plan**

Character Area: Cooksville Neighbourhood (East)  
Designation: Residential Low Density I, Special Site 7

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

**Zoning:** R16-5 (Residential)

**Other Applications:**

**Building Permit    File:    Required**

**Comments**

Building Permits are required and in the absence of a Building Permit applications, we are unable to verify the accuracy of the requested variances, or determine whether additional variances will be required. Alternately, in order to confirm the accuracy of the requested variances, the applicant may apply for Pre-Zoning Review applications and submit working drawings in order that a detailed zoning review may be completed.

The applicant has advised that they will be requesting at the hearing to add an additional variance each of their applications as follows:

"To permit encroachment of stairs to access a basement walk-out of a maximum of 5.0 m (16.40 ft.) into the rear yard; whereas By-law 0225-2007 permits stairs to encroach a maximum of 5.0 m (16.40 ft.) when accessing a deck or porch."

Our Department has no objection to the requested variance, should the Committee grant the request to amend the application. The current zoning permission allows for a projection of above grade stairs to the same extent as what is requested, however the current zoning provisions do not consider allowing below grade walkout encroachments. In our opinion, the basement walkout would not have significantly different impacts than an above grade structure encroaching the same distance.

The requested variances are required to permit the encroachment of a relatively small portion of the stairs for the porch to encroach beyond the permitted 1.50 m (4.92 ft.). The front face of the dwelling and the main portion of the porch are well setback within by-law requirements; only a single step projects beyond the permitted encroachment. The additional step should not have a significant impact on the front yard streetscape of the dwellings along Mateo Place.

Based on the preceding information, the Planning and Building Department has no objection to the requested variances, however the applicant may wish to defer the application in order to apply for Building Permits in order to verify the accuracy of the requested variances and to determine whether any additional variances will be required."

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 12/217. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process."

No other persons expressed any interest in the application.

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

The Committee consented to amend the application and, after considering the submissions put forward by Mr. G Broll and having reviewed the site plan and City Staff comments, is satisfied that the amended request is desirable for the appropriate development of the subject property.

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

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

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

1. a 2.20m (7.21ft.) encroachment of a porch, inclusive of stairs, into the required front yard; whereas By-law 0225-2007, as amended, permits a maximum porch encroachment, inclusive of stairs, of 1.50m (4.92ft.) into the required front yard in this instance; and,
2. to permit encroachment of stairs to access a basement walk-out of a maximum of 5.00m (16.40 ft.) into the rear yard; whereas By-law 0225-2007 permits stairs to encroach a maximum of 5.00m (16.40 ft.) when accessing a deck or porch."

MOVED BY:	D. George	SECONDED BY:	D. Reynolds	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.



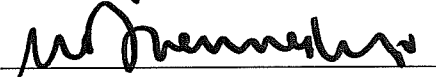
S. PATRIZIO



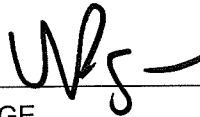
D. GEORGE



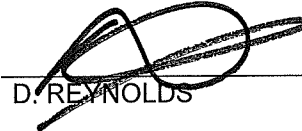
J. ROBINSON (CHAIR)



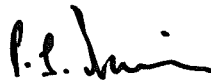
D. KENNEDY



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

CAMILLA COURT HOMES INC.

on Thursday, February 11, 2016

Camilla Court Homes Inc. is the owner of 180 Mateo Place being Part of Block A, Registered Plan A-27, zoned R16-5, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new detached dwelling on the subject property proposing a 2.20m (7.21ft.) encroachment of a porch, inclusive of stairs, into the required front yard; whereas By-law 0225-2007, as amended, permits a maximum porch encroachment, inclusive of stairs, of 1.50m (4.92ft.) into the required front yard in this instance.

Mr. G. Broll, authorized agent attended and presented the application to permit the construction of a new dwelling on the subject property which is part of a larger development and has been subject to a rezoning and a lengthy review process with the City's planning department over the last few years. Mr. G. Broll described the requested variance to permit a 2.20m (7.21ft) encroachment of a new porch and associated stairs into the front yard whereas the bylaw permits 1.50m (4.92ft.). Mr. G. Broll explained this was a result of a site condition that recently become apparent and resulted in a modified design as a result of a high water table that required the ground floor level to be elevated and an additional step to be added to the front porch stairs. Mr. G. Broll further advised the Committee that Staff have identified an additional variance to permit the encroachment of stairs to access a basement walk-out was required and requested that the application be amended accordingly. Mr. G. Broll concluded that the requested variances are appropriate for the development of the subject property and are minor in nature.

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

The City of Mississauga Planning and Building Department commented as follows (February 11, 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 apply for a Pre-Zoning Review application or a Building Permit in order to verify the accuracy of the requested variances, and to determine whether any additional variances will be required.

**Background**

**Mississauga Official Plan**

Character Area: Cooksville Neighbourhood (East)  
Designation: Residential Low Density I, Special Site 7

**Zoning By-law 0225-2007**

**Zoning: R16-5 (Residential)**



**Other Applications:**

**Building Permit    File: Required**

**Comments**

Building Permits are required and in the absence of a Building Permit applications, we are unable to verify the accuracy of the requested variances, or determine whether additional variances will be required. Alternately, in order to confirm the accuracy of the requested variances, the applicant may apply for Pre-Zoning Review applications and submit working drawings in order that a detailed zoning review may be completed.

The applicant has advised that they will be requesting at the hearing to add an additional variance each of their applications as follows:

"To permit encroachment of stairs to access a basement walk-out of a maximum of 5.0 m (16.40 ft.) into the rear yard; whereas By-law 0225-2007 permits stairs to encroach a maximum of 5.0 m (16.40 ft.) when accessing a deck or porch."

Our Department has no objection to the requested variance, should the Committee grant the request to amend the application. The current zoning permission allows for a projection of above grade stairs to the same extent as what is requested, however the current zoning provisions do not consider allowing below grade walkout encroachments. In our opinion, the basement walkout would not have significantly different impacts than an above grade structure encroaching the same distance.

The requested variances are required to permit the encroachment of a relatively small portion of the stairs for the porch to encroach beyond the permitted 1.50 m (4.92 ft.). The front face of the dwelling and the main portion of the porch are well setback within by-law requirements; only a single step projects beyond the permitted encroachment. The additional step should not have a significant impact on the front yard streetscape of the dwellings along Mateo Place.

Based on the preceding information, the Planning and Building Department has no objection to the requested variances, however the applicant may wish to defer the application in order to apply for Building Permits in order to verify the accuracy of the requested variances and to determine whether any additional variances will be required."

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 12/217. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process."

No other persons expressed any interest in the application.

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

The Committee consented to amend the application and, after considering the submissions put forward by Mr. G Broll and having reviewed the site plan and City Staff comments, is satisfied that the amended request is desirable for the appropriate development of the subject property.

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

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

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

1. a 2.20m (7.21ft.) encroachment of a porch, inclusive of stairs, into the required front yard; whereas By-law 0225-2007, as amended, permits a maximum porch encroachment, inclusive of stairs, of 1.50m (4.92ft.) into the required front yard in this instance; and,
2. to permit encroachment of stairs to access a basement walk-out of a maximum of 5.00m (16.40 ft.) into the rear yard; whereas By-law 0225-2007 permits stairs to encroach a maximum of 5.00m (16.40 ft.) when accessing a deck or porch."

MOVED BY:	D. George	SECONDED BY:	D. Reynolds	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**.

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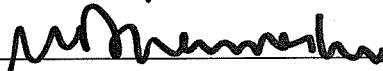
S. PATRIZIO




D. GEORGE



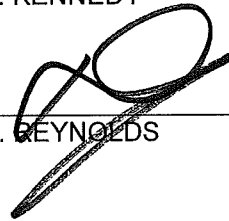
J. ROBINSON (CHAIR)



D. KENNEDY



J. PAGE

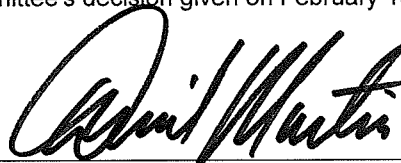


D. REYNOLDS



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

CAMILLA COURT HOMES INC.

on Thursday, February 11, 2016

Camilla Court Homes Inc. is the owner of 185 Mateo Place being Part of Block A, Registered Plan A-27, zoned R16-5, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new detached dwelling on the subject property proposing a 2.20m (7.21ft.) encroachment of a porch, inclusive of stairs, into the required front yard; whereas By-law 0225-2007, as amended, permits a maximum porch encroachment, inclusive of stairs, of 1.50m (4.92ft.) into the required front yard in this instance.

Mr. G. Broll, authorized agent attended and presented the application to permit the construction of a new dwelling on the subject property which is part of a larger development and has been subject to a rezoning and a lengthy review process with the City's planning department over the last few years. Mr. G. Broll described the requested variance to permit a 2.20m (7.21ft) encroachment of a new porch and associated stairs into the front yard whereas the bylaw permits 1.50m (4.92ft.). Mr. G. Broll explained this was a result of a site condition that recently become apparent and resulted in a modified design as a result of a high water table that required the ground floor level to be elevated and an additional step to be added to the front porch stairs. Mr. G. Broll further advised the Committee that Staff have identified an additional variance to permit the encroachment of stairs to access a basement walk-out was required and requested that the application be amended accordingly. Mr. G. Broll concluded that the requested variances are appropriate for the development of the subject property and are minor in nature.

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

The City of Mississauga Planning and Building Department commented as follows (February 11, 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 apply for a Pre-Zoning Review application or a Building Permit in order to verify the accuracy of the requested variances, and to determine whether any additional variances will be required.

### **Background**

#### **Mississauga Official Plan**

Character Area: Cooksville Neighbourhood (East)  
Designation: Residential Low Density I, Special Site 7

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

**Zoning: R16-5 (Residential)**

**Other Applications:**

**Building Permit    File: Required**

**Comments**

Building Permits are required and in the absence of a Building Permit applications, we are unable to verify the accuracy of the requested variances, or determine whether additional variances will be required. Alternately, in order to confirm the accuracy of the requested variances, the applicant may apply for Pre-Zoning Review applications and submit working drawings in order that a detailed zoning review may be completed.

The applicant has advised that they will be requesting at the hearing to add an additional variance each of their applications as follows:

"To permit encroachment of stairs to access a basement walk-out of a maximum of 5.0 m (16.40 ft.) into the rear yard; whereas By-law 0225-2007 permits stairs to encroach a maximum of 5.0 m (16.40 ft.) when accessing a deck or porch."

Our Department has no objection to the requested variance, should the Committee grant the request to amend the application. The current zoning permission allows for a projection of above grade stairs to the same extent as what is requested, however the current zoning provisions do not consider allowing below grade walkout encroachments. In our opinion, the basement walkout would not have significantly different impacts than an above grade structure encroaching the same distance.

The requested variances are required to permit the encroachment of a relatively small portion of the stairs for the porch to encroach beyond the permitted 1.50 m (4.92 ft.). The front face of the dwelling and the main portion of the porch are well setback within by-law requirements; only a single step projects beyond the permitted encroachment. The additional step should not have a significant impact on the front yard streetscape of the dwellings along Mateo Place.

Based on the preceding information, the Planning and Building Department has no objection to the requested variances, however the applicant may wish to defer the application in order to apply for Building Permits in order to verify the accuracy of the requested variances and to determine whether any additional variances will be required."

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 12/217. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process."

No other persons expressed any interest in the application.

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

The Committee consented to amend the application and, after considering the submissions put forward by Mr. G Broll and having reviewed the site plan and City Staff comments, is satisfied that the amended request is desirable for the appropriate development of the subject property.

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

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

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

1. a 2.20m (7.21ft.) encroachment of a porch, inclusive of stairs, into the required front yard; whereas By-law 0225-2007, as amended, permits a maximum porch encroachment, inclusive of stairs, of 1.50m (4.92ft.) into the required front yard in this instance; and,
2. to permit encroachment of stairs to access a basement walk-out of a maximum of 5.00m (16.40 ft.) into the rear yard; whereas By-law 0225-2007 permits stairs to encroach a maximum of 5.00m (16.40 ft.) when accessing a deck or porch."

MOVED BY:	D. George	SECONDED BY:	D. Reynolds	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.



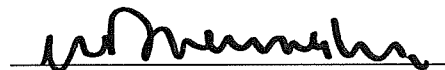
S. PATRIZIO



D. GEORGE



J. ROBINSON (CHAIR)



D. KENNEDY



J. PAGE

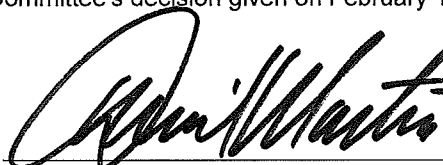


D. REYNOLDS



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

CAMILLA COURT HOMES INC.

on Thursday, February 11, 2016

Camilla Court Homes Inc. is the owner of 189 Mateo Place being Part of Block A, Registered Plan A-27, zoned R16-5, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new detached dwelling on the subject property proposing a 2.20m (7.21ft.) encroachment of a porch, inclusive of stairs, into the required front yard; whereas By-law 0225-2007, as amended, permits a maximum porch encroachment, inclusive of stairs, of 1.50m (4.92ft.) into the required front yard in this instance.

Mr. G. Broll, authorized agent attended and presented the application to permit the construction of a new dwelling on the subject property which is part of a larger development and has been subject to a rezoning and a lengthy review process with the City's planning department over the last few years. Mr. G. Broll described the requested variance to permit a 2.20m (7.21ft) encroachment of a new porch and associated stairs into the front yard whereas the bylaw permits 1.50m (4.92ft.). Mr. G. Broll explained this was a result of a site condition that recently become apparent and resulted in a modified design as a result of a high water table that required the ground floor level to be elevated and an additional step to be added to the front porch stairs. Mr. G. Broll further advised the Committee that Staff have identified an additional variance to permit the encroachment of stairs to access a basement walk-out was required and requested that the application be amended accordingly. Mr. G. Broll concluded that the requested variances are appropriate for the development of the subject property and are minor in nature.

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

The City of Mississauga Planning and Building Department commented as follows (February 11, 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 apply for a Pre-Zoning Review application or a Building Permit in order to verify the accuracy of the requested variances, and to determine whether any additional variances will be required.

### **Background**

#### **Mississauga Official Plan**

Character Area: Cooksville Neighbourhood (East)  
Designation: Residential Low Density I, Special Site 7

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

**Zoning: R16-5 (Residential)**



**Other Applications:**

**Building Permit    File: Required**

**Comments**

Building Permits are required and in the absence of a Building Permit applications, we are unable to verify the accuracy of the requested variances, or determine whether additional variances will be required. Alternately, in order to confirm the accuracy of the requested variances, the applicant may apply for Pre-Zoning Review applications and submit working drawings in order that a detailed zoning review may be completed.

The applicant has advised that they will be requesting at the hearing to add an additional variance each of their applications as follows:

"To permit encroachment of stairs to access a basement walk-out of a maximum of 5.0 m (16.40 ft.) into the rear yard; whereas By-law 0225-2007 permits stairs to encroach a maximum of 5.0 m (16.40 ft.) when accessing a deck or porch."

Our Department has no objection to the requested variance, should the Committee grant the request to amend the application. The current zoning permission allows for a projection of above grade stairs to the same extent as what is requested, however the current zoning provisions do not consider allowing below grade walkout encroachments. In our opinion, the basement walkout would not have significantly different impacts than an above grade structure encroaching the same distance.

The requested variances are required to permit the encroachment of a relatively small portion of the stairs for the porch to encroach beyond the permitted 1.50 m (4.92 ft.). The front face of the dwelling and the main portion of the porch are well setback within by-law requirements; only a single step projects beyond the permitted encroachment. The additional step should not have a significant impact on the front yard streetscape of the dwellings along Mateo Place.

Based on the preceding information, the Planning and Building Department has no objection to the requested variances, however the applicant may wish to defer the application in order to apply for Building Permits in order to verify the accuracy of the requested variances and to determine whether any additional variances will be required."

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 12/217. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process."

No other persons expressed any interest in the application.

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

The Committee consented to amend the application and, after considering the submissions put forward by Mr. G Broll and having reviewed the site plan and City Staff comments, is satisfied that the amended request is desirable for the appropriate development of the subject property.

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

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

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

1. a 2.20m (7.21ft.) encroachment of a porch, inclusive of stairs, into the required front yard; whereas By-law 0225-2007, as amended, permits a maximum porch encroachment, inclusive of stairs, of 1.50m (4.92ft.) into the required front yard in this instance; and,
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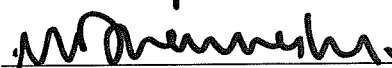
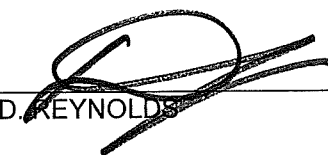
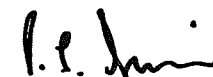
MOVED BY:	D. George	SECONDED BY:	D. Reynolds	CARRIED
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Application Approved, as amended.

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**.

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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

CAMILLA COURT HOMES INC.

on Thursday, February 11, 2016

Camilla Court Homes Inc. is the owner of 193 Mateo Place being Part of Block A, Registered Plan A-27, zoned R16-5, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new detached dwelling on the subject property proposing a 2.20m (7.21ft.) encroachment of a porch, inclusive of stairs, into the required front yard; whereas By-law 0225-2007, as amended, permits a maximum porch encroachment, inclusive of stairs, of 1.50m (4.92ft.) into the required front yard in this instance.

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The City of Mississauga Planning and Building Department commented as follows (February 11, 2016):

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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 apply for a Pre-Zoning Review application or a Building Permit in order to verify the accuracy of the requested variances, and to determine whether any additional variances will be required.

**Background**

**Mississauga Official Plan**

Character Area: Cooksville Neighbourhood (East)  
Designation: Residential Low Density I, Special Site 7

**Zoning By-law 0225-2007**

**Zoning: R16-5 (Residential)**

**Other Applications:**

**Building Permit    File: Required**

**Comments**

Building Permits are required and in the absence of a Building Permit applications, we are unable to verify the accuracy of the requested variances, or determine whether additional variances will be required. Alternately, in order to confirm the accuracy of the requested variances, the applicant may apply for Pre-Zoning Review applications and submit working drawings in order that a detailed zoning review may be completed.

The applicant has advised that they will be requesting at the hearing to add an additional variance each of their applications as follows:

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MOVED BY:	D. George	SECONDED BY:	D. Reynolds	CARRIED
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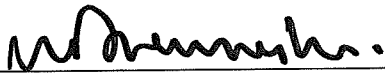
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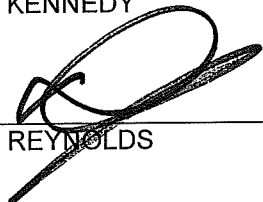
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MOVED BY:	D. George	SECONDED BY:	D. Reynolds	CARRIED
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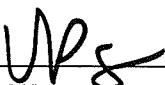
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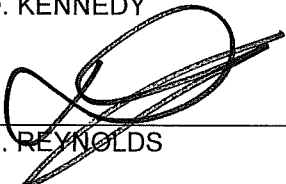
  
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J. ROBINSON (CHAIR)

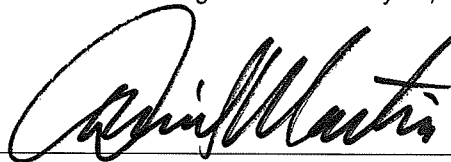
  
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