



## Committee of Adjustment

The following staff reports are current as of September 25<sup>th</sup>, 2018 at 2:00pm.

Any staff reports received after this time may be obtained by  
emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca)

Please note: resident comments are not posted online and may be obtained by  
emailing the above.

**Location: COUNCIL CHAMBERS**  
**Hearing: OCTOBER 04, 2018 AT 1:30 P.M.**

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

**NEW APPLICATIONS - (CONSENT)**

<b>File</b>	<b>Name of Applicant</b>	<b>Location of Land</b>	<b>Ward</b>
B-068/18	ESSAM & IMAN HARB	1351 BEEMER AVE	8

**NEW APPLICATIONS- (MINOR VARIANCE)**

<b>File</b>	<b>Name of Applicant</b>	<b>Location of Land</b>	<b>Ward</b>
A-377/18	ADEOLU IREYOMI	2290 DOULTON DR	8
A-378/18	LI CHIA & FIONA CHIA	500 COMANCHE RD	2
A-379/18	DIBATTISTA GAMBIN DEVELOPMENTS LIMITED	130 DUNDAS ST E	7
A-380/18	1112396 ONTARIO LIMITED	7079, 7089, 7093 TORBRAM RD	5
A-381/18	JLD HOLDINGS & FIL JO HOLDINGS	6970 KENDERRY GATE	5
A-382/18	MARIA & GIOVANNI GATTI	3321 CHIMO CRT	7

**DEFERRED APPLICATIONS- (MINOR VARIANCE)**

<b>File</b>	<b>Name of Applicant</b>	<b>Location of Land</b>	<b>Ward</b>
A-243/18	NIMARTA DHALIWAL	1800 BALSAM AVE	2
A-257/18	PRABH AULAKH	1480 DERRY RD E	5
A-315/18	SUNIL & SUDHA KHAMBASWADKAR	931 PRESTON MANOR DR	6
A-319/18	AMINA SAMAC	825 BEXHILL RD	2

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Date: September 24, 2018

File: C of A – 'B' 68/18  
(Ward 8 – 1351 Beemer Avenue)

**Agenda: October 4, 2018**

**New Item**

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## **Recommendation**

The Planning and Building Department recommends that the application be deferred in order for the applicant to apply for the associated minor variance for lot frontage.

## **Background**

### **Mississauga Official Plan**

Character Area: Sheridan Neighbourhood  
Designation: Residential Low Density I

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

**Zoning:** R1 (Residential)

## **Comments**

### **Zoning**

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

The applicant is advised that Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line.

Front Lot Line means a lot line that divides a lot from the street or a private road.

### **Planning**

The subject lands are located in the Clarkson – Lorne Park Neighbourhood, near North Sheridan Way and Mississauga Road. The subject lands are slightly irregular in shape. The application proposes a severance of the subject lands for the purpose of a new residential lot. The subject lands currently have access from North Sheridan Way and from Beemer Avenue via an easement.

The application proposes lot frontages of 22.50 m for the retained lands measured from North Sheridan Way, and 22.74 m for the severed lands measured from Beemer Avenue. The zoning by-law requires a minimum lot frontage of 22.50 m. The subject lands are larger than the area context. The subject lands represent an anomaly on Beemer Avenue regarding the size, shape, orientation, and access. The proposed severance creates lots which are similar in size to the immediate area.

Although the subject lands are currently accessed from Beemer Avenue, and have a Beemer Avenue address, the official lot frontages are measured along North Sheridan Way for both the severed and retained lands. Due to the irregular shape of the lands, a minor variance is likely required for a deficient frontage along North Sheridan Way for the severed lands.

Based on the preceding, the Planning and Building Department recommends that the application be deferred in order for the applicant to apply for the associated minor variance for lot frontage.



# City of Mississauga Memorandum



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**TO:** S. Kenney, Secretary Treasurer  
Committee of Adjustment

**FROM:** D. Martin  
Transportation and Works

**DATE:** September 21, 2018

**RE:**       **Applicant:**       **Essam & Iman Harb**  
              **Date of Hearing:** **October 4, 2018**  
              **Location:**     **1351 Beemer Ave**  
              **Our File:**     **'B' 68/18, Ward 8 (Z-17)**

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Should Committee see merit in the applicant's request we are providing the following conditions/requirements to be imposed as conditions of approval:

**A.     Items Required Prior to the Issuance of Final Consent**

1.     Overall Servicing Plan

We request that the applicant submit a Functional Servicing Proposal and Servicing Plan prepared by a Consulting Engineer for this department's review/approval to confirm that all the necessary municipal services can be provided for the proposed lot. It is also to show the location of all existing/proposed services. We note that it appears there is a drainage feature along the easterly side of the subject property along North Sheridan Way and a municipal easement may be required. Please note that the MTO approval may be required for any storm sewer connections to North Sheridan Way.

2.     Overall Grading and Drainage Plan

The applicant's consulting engineer will be required to prepare an Overall Grading and Drainage Plan which contains sufficient details to ensure grading compatibility with the adjacent lands and submit the grading and drainage proposal to this department for review/approval.

3.     Conceptual Site Plan Requirement

The applicant shall submit a conceptual site plan for the severed and retained lands depicting the existing and proposed dwellings on site along with driveway details etc.

4. Proposed Access from North Sheridan Way

The applicant is to provide an Operational and Safety Review which assesses geometrics, grading, guiderail modifications, sightlines, and operations. The assessment is to be prepared by a Transportation Engineer, recommend design features, and draw a conclusion on traffic safety and the overall operations to the satisfaction of our Traffic Section.

For further information please contact Raniel Pinto of our Transportation projects Section at (905) 615-3200 ext. 3923.

5. Acoustical Report

Due to the proximity and noise emanating from North Sheridan Way and The Queen Elizabeth Way, the owner will be required to retain the services of an Acoustical Consultant to prepare a detailed Acoustical Report for the subject lands and make comments/recommendations in support of this severance application. This report is to determine the need for the implementation of any noise attenuation measures that are to be incorporated into the construction of the site works to achieve the City's and the M.O.E.'s current noise level objectives. The scope of this report is to define the minimum noise attenuation requirements for the control of outdoor and indoor environmental sound levels.

We are also noting for the owner's information that securities may be required to ensure that any noise attenuation measures such as air conditioning units and/or acoustical fencing are installed for the proposed dwellings to be constructed.

6. Development Agreement

Upon the review of the Acoustical Report which would contain the appropriate Warning Clauses, the owner may be required to enter into a Development Agreement which is to be registered against title of the subject lands. The said Agreement is to advise any prospective purchasers that, despite the inclusion of noise control features, noise levels emanating from North Sheridan Way and The Queen Elizabeth Way may continue to be of concern, occasionally interfering with some of the activities of the dwelling occupants as the noise exposure level may exceed the noise criteria of the municipality and the Ministry of the Environment and Climate Change.

In view of the above and depending on the findings of Item 4 noted above, the applicant may be required to contact the Planning Department, Development Services Section, with regard to obtaining a sample copy of a Development Agreement - Consent. If an Agreement is required, our department will identify the appropriate warning clauses to be incorporated into the Agreement.

7. Fee Requirements as Per Fees and Charges By-Law

As per the City of Mississauga's Fees and Charges By-law there will be fees required to be paid to the Legal Services Department for their services, in

particular for the preparation of documents required for items pertaining to a Development Agreement and/or road widening. The fee amounts payable will be in accordance with the current fees and charges bylaw.

**B. General Information**

1. Site Plan Approval

Any re-development of the subject lands will require the owner obtaining Site Plan Approval where any site specific conditions/requirements relating to detailed lot grading and drainage, servicing, access, etc. will be addressed.

2. Servicing

All costs incurred in providing any service laterals will be the responsibility of the owner. The owner will also be responsible for all costs incurred for the required road reinstatement (if required). If the service connections are to be installed by a private contractor retained by the owner, issuance of an open cut permit will be subject to the owner depositing adequate securities with the City to guarantee proper road reinstatement. We advise that the storm sewer outlet for these lands is the existing 1500mm diameter storm sewer within North Sheridan Way.

3. Lot Grading and Drainage

We advise the applicant that issuance of any building permits for the new dwelling(s) will be subject to the owner submitting a certified lot grading and drainage plan to this Department for review/approval. The grading and drainage plan is to contain sufficient detail to ensure grading compatibility with the adjacent properties. In addition, the owner will be required to submit the applicable lot grading and municipal services protection deposits.

4. Access

We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

For further information regarding the above noted comments, please contact John Salvino at (905) 615-3200 ext. 5183 or [john.salvino@mississauga.ca](mailto:john.salvino@mississauga.ca).

D. Martin  
Supervisor, Development Engineering South  
905-615-3200, ext. 5833

c. [graham@barrettmunicipal.com](mailto:graham@barrettmunicipal.com)



B 68/18









B 68/18













B 68/18





B 68/18





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B 68/18





# City of Mississauga Memorandum



DATE: AUGUST 31, 2018

FILES: "B" 68/18

SUBJECT: CONSENT APPLICATION  
1351 Beemer Avenue  
Essam and Iman Harb  
WARD 8  
October 4<sup>th</sup>, 2018 PUBLIC HEARING OF THE COMMITTEE OF ADJUSTMENT

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The Park Planning Section of the Community Services Department has reviewed the above noted consent application, and advises as follows:

Should the application be approved, Community Services wishes to impose the following conditions:

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

North Sheridan Way:

- four (4) Colorado Spruce (20cm) – fair condition
- one (1) Norway Maple (22cm) – fair condition
- one (1) Austrian Pine (43cm) – good condition

Beemer Avenue:

- one (1) Pin Oak (73cm) – fair condition

Due to the close proximity of the identified trees in relation to the new driveways and proposed lands to be severed, and considering that the property is not subject to site plan control, should the application be approved, Community Services wishes to impose the following conditions:

1. The applicant shall provide tree protection securities in the amount of \$17,100 for the above noted trees.
2. The applicant shall provide framed tree hoarding to the dripline of the above noted tree to the satisfaction of City of Mississauga Forestry Staff. Please call Ryan Cormier at 905-615-3200 ext. 4580 to arrange a hoarding inspection.

In addition, Community Services notes the following:

1. Payment of tree preservation securities can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga.
2. Please be advised that securities may be held for up to two years, as determined by City of Mississauga Forestry Staff.
3. 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.

Should further information be required, please contact Ibrahim Dia, Planner, Community Services Department at 905-615-3200 ext. 3108.

City of Mississauga  
**Memorandum**



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Date: 2018/09/20

To: Chair, Committee of Adjustment  
S. Kenney, Secretary-Treasurer, Committee of Adjustment

From: Brooke Herczeg, Heritage Analyst  
Culture Division, Community Services

Meeting Date: 2018/10/04

Subject: "B" 068/18 (Ward 5)  
Consent Application  
1351 Beemer Avenue  
Essam & Iman Harb

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The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. The proponent shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal and documenting, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Tourism, Culture and Sport confirming that all archaeological resource concerns have met licensing and resource conservation requirements. Letters to this effect from said Ministry corresponding to each archaeological assessment report and activity are required to be submitted to the Culture Division for review.

Heritage Planning recommends that the owner complete the archaeological assessment, with Ministry letters as a condition of approval of the consents.

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Brooke Herczeg, Heritage Analyst



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Date: September 24, 2018

File: C of A – 'A' 377/18  
(Ward 8 – 2290 Doulton Drive)

**Agenda: October 4, 2018**

**New Item**

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## **Recommendation**

The Planning and Building Department has no objection to the requested variances, as amended, however the applicant may choose to defer the application in order to resubmit the site plan application to determine if additional variances are required.

## **Background**

### **Mississauga Official Plan**

Character Area: Sheridan Neighbourhood  
Designation: Residential Low Density I

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

**Zoning:** R1-5 (Residential)

### **Other Applications:**

Site Plan Application: 18-31

## **Comments**

### **Zoning**

The Building Department is currently processing a site plan approval application under file SPI 18-31. Based on review of the information currently available for this application, we advise that the following variances should be amended as follows:

1. A height of 10.81m whereas By-law 0225-2007, as amended, permits a maximum height of 10.70m in this instance;

4. Condensing units on roof whereas By-law 0225-2007, as amended, does not permit roof top heating and/or air conditioning equipment in R1 - R16 and RM1 - RM8 zones;

The following additional variance should be added:

5. Excessive Hammerhead width of 2.72m whereas, By-law 0225-2007, as amended, permits a maximum hammerhead width of 2.6m in this instance.

Further, we note that additional information regarding the garage ramp, roof overhang, and room use is required to determine if additional variances are required.

## **Planning**

The subject lands are located near Mississauga Road and the Queen Elizabeth Way, in the Sheridan Neighbourhood. The subject lands are currently vacant. The application proposes a new dwelling; requesting variances for height, garage area, driveway width, and condensing units on a flat roof. The immediate context is typified by larger dwellings on larger lots. Dwellings designs are unique and vary wildly.

Zoning has identified amendments to variances #1 and #4, and added an additional variance for an oversized hammerhead.

The variance request for height is for 0.11 m. The height includes a third storey; however, the third storey does not extend across the entire second storey. No variances are requested for gross floor area, lot coverage or setbacks.

The garage area is entirely located below grade. Below grade garages do not have the same impact to the streetscape. Larger garages and larger driveways are typical of the area. The driveway is 7 m at the street. The majority of the driveway is 7 m in width. The lot frontage is 42.37 m. The proposed hammerhead turnaround is a small increase in comparison to the lot frontage and overall lot size. The lot is irregular and widens toward the rear.

The proposed condensing units on a flat roof are located 7.66 m from the northerly side elevation, and 3.12 m from the rear elevation. The northerly side yard is 22.74 m at the closest point, and extends to 33.03 m due to the irregularly shaped lot. The rear yard is 31.88 m to the ground level, and increases significantly to the second and third floor. Due to the proposed location of the condensing units, and the larger subject lot, there will be limited impact and visibility.

In our opinion, the requested variances are appropriate in this context and maintain the general intent and purpose of the zoning by-law. Based on the preceding, the Planning and Building Department has no objection to the requested variances, as amended, however the applicant may choose to defer the application in order to resubmit the site plan application to determine if additional variances are required.

City of Mississauga  
**Memorandum**



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**TO:** S. Kenney, Secretary Treasurer  
Committee of Adjustment

**FROM:** D. Martin  
Transportation and Works

**DATE:** September 21, 2018

**RE:** Takebacks – October 4, 2018  
File - C.A. Agendas

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**Re:** C.A. 'A' 377/18  
Adeolu Ireiyomi  
2290 Doulton Dr  
Ward 8

We note for Committee's information that the City is currently processing a Site Plan Application for this property, Reference SP-18/031. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process.

D. Martin  
Supervisor Development Engineering South  
905-615-3200 ext. 5833







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Date: September 24, 2018

File: C of A – 'A' 378/18  
(Ward 2 – 500 Comanche Road)

**Agenda: October 4, 2018**

**New Item**

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## Recommendation

The Planning and Building Department has no objection to the requested variance, but the applicant may choose to defer the application in order to verify the accuracy of the requested variance.

## Background

### Mississauga Official Plan

Character Area: Clarkson – Lorne Park Neighbourhood  
Designation: Residential Low Density I, Greenlands

### Zoning By-law 0225-2007

**Zoning:** R1-2, G1 (Residential, Greenlands)

## Comments

### Zoning

We note that a building permit application and a site plan approval application are required. In the absence of one of these permit applications we are unable to confirm the accuracy of the requested variance or determine whether additional variances may be required. It should be noted that a full zoning review has not been completed.

### Planning

The subject lands are located in the Clarkson – Lorne Park Neighbourhood, near the intersection of Mississauga Road and the Queen Elizabeth Way. The application proposes alterations to an existing garage; requesting a variance for a driveway width.

The existing dwelling has a garage with four spaces. Two of the spaces are accessed from the northerly side, and two spaces are accessed from the westerly side. The proposed alteration orientates the garage for all four spaces to be accessed on the westerly side. The widest part of the driveway is in front of the garage; the driveway narrows at the street.

The subject lands are an irregular pie shape. Due to the orientation of the dwelling, the existing larger garage, and the pie shape lot, a larger driveway is appropriate in this context. In our opinion, the requested variance is minor in nature and maintains the general intent and purpose of the zoning by-law.

We note that the driveway should be measured at the widest point. We are unable to verify the accuracy of the requested variance.

Based on the preceding, the Planning and Building Department has no objection to the requested variance, but the applicant may choose to defer the application in order to verify the accuracy of the requested variance.

City of Mississauga  
**Memorandum**



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**TO:** S. Kenney, Secretary Treasurer  
Committee of Adjustment

**FROM:** D. Martin  
Transportation and Works

**DATE:** September 21, 2018

**RE:** Takebacks – October 4, 2018  
File - C.A. Agendas

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**Re:** C.A. 'A'378/18  
Li Chia & Fiona Chia  
500 Comanche Rd  
Ward 2

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling will be addressed through the Building Permit process.

D. Martin  
Supervisor Development Engineering South  
905-615-3200 ext. 5833

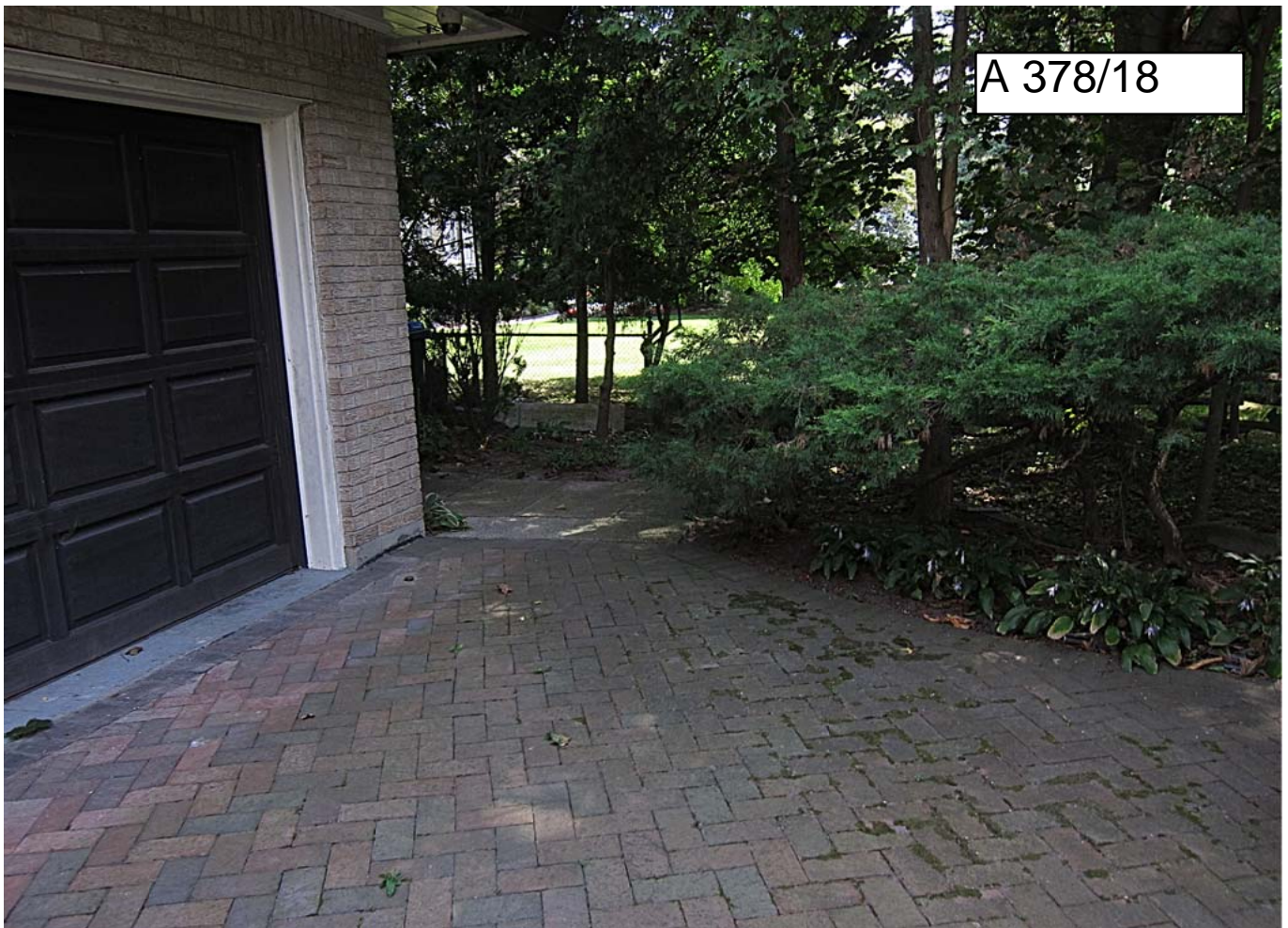


A 378/18



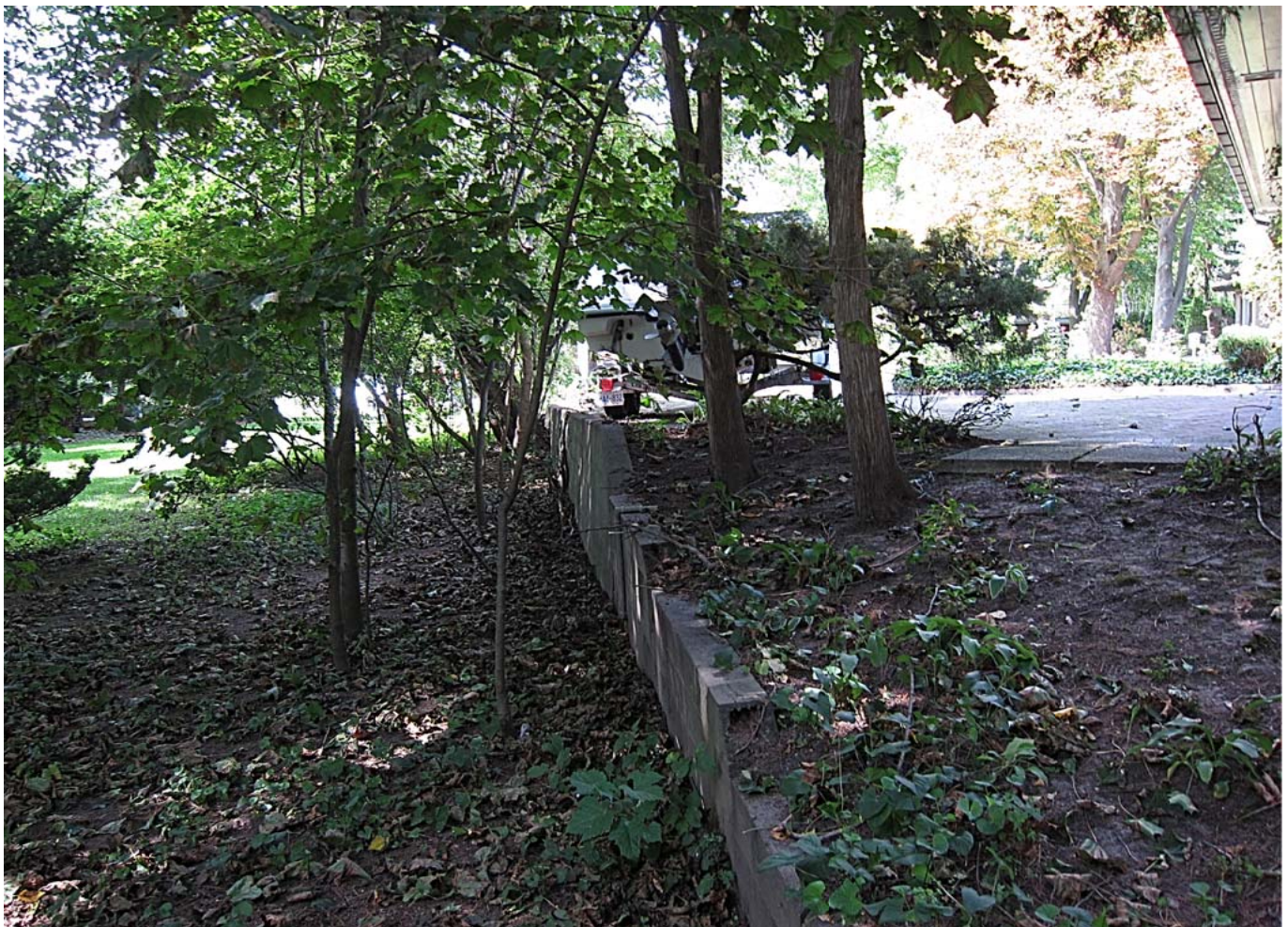


A 378/18





A 378/18





A 378/18



September 18, 2018

Committee of Adjustment – Office of the City Clerk  
Corporate Services Department  
300 City Centre Drive  
Mississauga, Ontario  
L5B 3C1

**Attention: Sean Kenney**

Dear Mr. Kenney:

**Re: CVC File No. A 18/378  
Municipality File No. A 378/18  
Li Chia & Fiona Chia  
500 Comanche Road  
Part of Lot 7, Range 2 CIR  
City of Mississauga**

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Staff of Credit Valley Conservation (CVC) have 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 a valley slope and floodplain associated with the Credit River. The property is also located within a provincially significant wetland. Other environmental features of CVC interest on the property include; Peel Core Greenlands, City of Mississauga Natural Heritage System (designated as a Significant Natural Site under the City of Mississauga Natural Areas Survey), Credit River Environmentally Significant Area, regionally significant Credit River Coastal Marsh Life Science Areas of Natural and Scientific Interest, and CVC Natural Heritage System.

It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

### **ONTARIO REGULATION 160/06:**

The 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 CVC (i.e. the issuance of a permit).

### **PROPOSAL:**

It is our understanding that the applicants request the Committee to approve a minor variance to allow renovations to the existing garage on the subject property proposing;

- a driveway width of 13.76m (approx. 45.14ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) in this instance.

### **COMMENTS:**

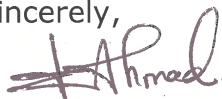
CVC staff have reviewed the information and determined that the requested minor variance does not impact the Authority's interests. As such, CVC has **no concerns** and **no objection** to the approval of this application by the Committee at this time.

Please note that a CVC permit (FF 18/159 dated June 22, 2018) has been issued for the proposed works also including modifications to the existing driveway as shown on the plan (Dwg. A1.0 revised August 23, 2018) submitted with the minor variance application. Any further development on the property within the CVC regulated area may require a CVC permit.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 296) should you have any further questions or concerns.

Please circulate CVC any future correspondence regarding this application.

Sincerely,



Iftekhar Ahmad  
Junior Planner

Cc: Geoffrey Roche (via email)  
Li Chia and Fiona Chia (via email)

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Date: September 21, 2018

File: C of A – 'A' 379/18  
(Ward 7 – 130 Dundas Street East)

**Agenda: October 4, 2018**

**New Item**

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## **Recommendation**

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

## **Background**

### **Mississauga Official Plan**

Character Area: Downtown Cooksville  
Designation: Office

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

**Zoning:** O (Office)

### **Other Applications:**

Certificate of Occupancy: 18-1893

## **Comments**

### **Zoning**

The Planning and Building Department is currently processing a certificate of occupancy permit application under file C18-1893. Based on review of the information currently available for this application, we advise that the following variance should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow the construction of an outdoor play area on the subject property located within a landscape buffer abutting Camilla Road; whereas, By-law 0225-2007, as amended, requires a continuous, open, and unobstructed minimum landscape buffer of 4.50m (approx. 14.76ft) abutting Camilla Road.

## **Planning**

The subject site is located within the Downtown Cooksville Character Area, on the south west corner of Dundas Street East and Camilla Road. The applicant is proposing to construct a playground facing Camilla Road with a landscape buffer of 0.76 m whereas 4.50 m is required.

The site is zoned Office and contains a mix of uses, including a daycare which is a permitted accessory use. Along with a daycare use, there is a requirement of a certain amount of area per child which is to be designed as outdoor space. The proposed playground will be wholly contained within a privacy fence and would not have a negative effect on the municipal walkway. The existing walkway within the subject site would remain and be contained within the privacy fence. There is an additional walkway on the west side of the building that can be used for access, as well as an entrance/exit in the rear parking lot. The landscape buffer would only be deficient for one side of the property, the buffer in the front and interior side yard would remain the same.

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

# City of Mississauga

# Memorandum



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**TO:** S. Kenney, Secretary Treasurer  
Committee of Adjustment

**FROM:** D. Martin  
Transportation and Works

**DATE:** September 21, 2018

**RE:** Takebacks – October 4, 2018  
File - C.A. Agendas

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**Re:** C.A. 'A' 379/18  
Dibattista Gambin Developments Ltd  
130 Dundas St E  
Ward 7

Information submitted with this application indicates that the applicant is requesting to permit the construction of a playground providing only a landscape buffer of 0.76M, whereas 4.5M is required. We note that the proposed site plan indicates a fence surrounding the play area which will cut off pedestrian access across the easterly edge of the building from the rear parking area to the main front entrance of the building. Information submitted with this application also indicates that the applicant is proposing a daycare facility on the ground floor of the existing building. As the proposed land use is changing from a less sensitive to a more sensitive use (daycare), we note for the applicants information that in accordance with Ontario Regulation 153/04 as amended, the applicant is required to submit a complete Record of Site Condition (RSC; revised December 2009), including all supporting documents to the Transportation and Works Department prior to the issuance of a building permit.

The RSC must also be posted to the Environmental Site Registry. The report (supporting documents) must include a clause or be accompanied by a letter signed and sealed by the author of the report or a Principal of the Consulting firm, which allows the City of Mississauga to make reliance on the findings and conclusions presented in the report.

D. Martin  
Supervisor Development Engineering South  
905-615-3200 ext. 5833











A 379/18





A 379/18





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Date: September 21, 2018

File: C of A – 'A' 380/18  
(Ward 5 – 7079, 7089 & 7093 Torbram Road)

Agenda: **October 4, 2018**

### New Item

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## Recommendation

The Planning and Building Department has no objection to the requested variance. However, a certificate of occupancy permit is required to verify the accuracy of the requested variance and if additional variances are required.

## Background

### Mississauga Official Plan

Character Area: Northeast Employment Area  
Designation: Business Employment

### Zoning By-law 0225-2007

Zoning: **E2 (Employment)**

## Comments

### Zoning

This Division notes that a certificate of occupancy permit application is required. In the absence of a certificate of occupancy permit application we are unable to confirm the accuracy of the requested variance or determine whether additional variances may be required. It should be noted that a full zoning review hasn't been completed.

Notwithstanding the above, the decision should reflect the unit number for which this variance applies.

Previous variance applications have approved a body repair shop (A 65-11) and motor vehicle sales accessory to the body repair shop (A 479-16). In neither case did it mention a vehicle

pound facility and in both cases it was stated that a Certificate of Occupancy permit was required. An occupancy certificate has been requested to date.

## **Planning**

The subject site is located within the Northeast Employment Area Character Area, near the intersection of Torbram Road and Derry Road East. The applicant is requesting a minor variance to allow the operation of a vehicle pound facility on the subject property, whereas this use is not permitted.

Minor variance applications have been requested in the past to allow for a motor vehicle body repair shop and motor vehicle sale facilities on the subject property. The previous applications were approved and the Planning and Building Department raised no objections. However, it was noted in each application that a certificate of occupancy was required. Zoning has noted, to date, no certificate of occupancy permit has been applied for and, therefore cannot confirm if any additional variances are required.

The vehicle pound facility is proposed to be located on the south east portion of the site. The submitted plans illustrate that the vehicle pound facility will be contained by a privacy fence which is a requirement of the zoning by-law. The Planning and Building Department is of the opinion that vehicle pound facility is consistent with other uses within the building and is generally in character with the broader area.

The zoning section has noted that a certificate of occupancy permit will be required.

Based on the preceding information, the Planning and Building Department has no objection to the requested variance. However, a certificate of occupancy permit is required to verify the accuracy of the requested variance and to determine if additional variances are required.



City of Mississauga  
**Memorandum**



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**TO:** S. Kenney, Secretary Treasurer  
Committee of Adjustment

**FROM:** D. Martin  
Transportation and Works

**DATE:** September 21, 2018

**RE:** Takebacks – October 4, 2018  
File - C.A. Agendas

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**Re:** C.A. 'A' 380/18  
1112396 Ontario Ltd  
7079, 7089, 7093 Torbram Rd  
Ward 5

We are enclosing photos for Committee's information which depicts the area where the vehicle pound facility is currently operating.

D. Martin  
Supervisor Development Engineering South  
905-615-3200 ext. 5833

A 380/19





A 380/18



A 380/18





A 380/18



# City of Mississauga

## Planning and Building Department



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Date: September 21, 2018

File: C of A – 'A' 381/18  
(Ward 5 – 6970 Kenderry Gate)

**Agenda: October 4, 2018**

### New Item

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## Recommendation

The Planning and Building Department recommends the application be refused.

## Background

### Mississauga Official Plan

Character Area: Gateway Employment Area  
Designation: Business Employment

### Zoning By-law 0225-2007

**Zoning: E2-53 (Employment)**

### Other Applications

Zoning Certificate: 13-4070

## Comments

### Zoning

This Division notes that the referenced use was approved under the Zoning Certificate Application 13-4070. The requested variance, as stated, is correct.

### Planning

The subject property is located within the Gateway Employment Area Character Area, near the intersection of Derry Road East and Kennedy Road. The application has been approved by Committee twice in the past, based on a five year term. The Planning and Building Department recommended refusal in both applications.



Although the Business Employment policies of the Mississauga Official Plan permit motor vehicle body repair facilities, the Gateway Employment Area policies specifically prohibit the use of motor vehicle body repair facilities.

In addition to the official plan policies, motor vehicle body repair facilities are not permitted in an E2 zone and are only permitted in an E3 zone.

This Department does not want to encourage the development of a motor vehicle body repair facility – commercial motor vehicle within an area that is intended for employment and office uses.

Based on the preceding information, the Planning and Building Department recommends the application be refused.

City of Mississauga  
**Memorandum**



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**TO:** S. Kenney, Secretary Treasurer  
Committee of Adjustment

**FROM:** D. Martin  
Transportation and Works

**DATE:** September 21, 2018

**RE:** Takebacks – October 4, 2018  
File - C.A. Agendas

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**Re: COMMITTEE OF ADJUSTMENT- October 4, 2018**

This Department has no objections, comments or requirements with respect to C.A. 'A' 381/18

D. Martin  
Supervisor Development Engineering South  
905-615-3200 ext. 5833



A 381/18



A 381/18





A 381/18



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Date: September 21, 2018

File: C of A – 'A' 382/18  
(Ward 7 – 3321 Chimo Court)

Agenda: **October 4, 2018**

### New Item

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## Recommendation

The Planning and Building Department has no objection to the requested variance, as amended. However, the applicant may choose to defer the application to ensure that no other variances are required.

## Background

### Mississauga Official Plan

Character Area: Fairview Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

Zoning: **R5 (Residential)**

## Comments

### Zoning

This Division notes that a building permit is not required in this instance. The applicant is advised that a full zoning review has not been completed. However, in reviewing the variance as outlined in this application, it was apparent that the following variance should be amended as follows:

1. "The applicants request the Committee to approve a minor variance to allow the existing decorative paving, pool decking, and other hard surfaced landscape material to be 0.3556m (approx 1.17ft) in height above grade; whereas, By-law 0225-2007, as amended, permits decorative paving, pool decking, and other hard surfaced landscape material an unlimited encroachment in a required rear yard, provided that they do not



exceed 0.3 m in height above grade at any point, and maintain a minimum setback to any lot line of 0.61 m, in this instance."

2. "The applicants request the Committee to approve a minor variance to allow an interior side yard setback of 0.5m to the edge of stairs located in the interior side yard; whereas, By-law 0225-2007, as amended, requires a minimum of 0.61m for stairs with a maximum of three (3) risers, in this instance."

## **Planning**

The subject property is located within the Fairview Neighbourhood Character Area, near the intersection of Confederation Parkway and Fairview Road West. The applicant is requesting relief from the zoning by-law to allow the existing hard landscaping to be 0.35 m above grade whereas 0.30 m is permitted.

The height of the hard surfaced landscape is a minor deviation from what is permitted in the zoning by-law and would not pose any negative impacts. If there was one less step a variance for height above grade would not be required. Zoning has identified an additional variance of a deficient side yard setback to the edge of the stairs. The deficient side yard would not have a negative impact on the neighbouring property. The Planning and Building Department is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Based on the preceding information, the Planning and Building Department has no objection to the requested variance, as amended. However, the applicant may choose to defer the application to ensure that no other variances are required.

City of Mississauga  
**Memorandum**



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**TO:** S. Kenney, Secretary Treasurer  
Committee of Adjustment

**FROM:** D. Martin  
Transportation and Works

**DATE:** September 21, 2018

**RE:** Takebacks – October 4, 2018  
File - C.A. Agendas

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**Re:** C.A. 'A' 382/18  
Maria & Giovanni Gatti  
3321 Chimo Crt  
Ward 7

This department has no grading related concerns with the applicant's request. It's our understanding that the existing hard landscaping refers to the two steps which will be 0.35m (approx. 1.17ft) above grade whereas a maximum of 3.00m (approx. 0.98 ft.) is permitted. It was noted that the existing steps were required in order to maintain the existing grading elevation and not impact on the approved drainage pattern for this property.

D. Martin  
Supervisor Development Engineering South  
905-615-3200 ext. 5833





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Date: September 24, 2018

File: C of A – 'A' 243/18  
(Ward 2 – 1800 Balsam Avenue)

**Agenda: October 4, 2018**

**Deferred Item**

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## **Recommendation**

The Planning and Building Department has no objection to the requested variances, as amended, but the applicant may choose to defer the application in order to verify the accuracy of the requested variances.

## **Background**

### **Mississauga Official Plan**

Character Area: Clarkson – Lorne Park Neighbourhood  
Designation: Residential Low Density II

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

**Zoning:** R3-2 (Residential)

## **Comments**

### **Zoning**

We note that a building permit application is required. In receipt of a pre-zoning application made by the applicant, a pre-zoning review has been completed; however, in reviewing the variances as outlined in this application, it was apparent that the following variances should be amended as follows:

1. A gross floor area of 389.00 m<sup>2</sup> (approx. 4187.16 ft<sup>2</sup>) whereas By-law 0225-2007, as amended permits a maximum gross floor area of 343.48 m<sup>2</sup> (approx. 3697.19 ft<sup>2</sup>).
2. A side yard of 2.08 m (approx. 8.79 ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41 m (approx. 7.91 ft) in this instance.



5. A building height of 9.76 m (approx. 32.02 ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00 m (approx. 29.53 ft) in this instance.

The following additional variances are required:

6. A maximum height of eaves of 6.42 m (approx. 21.06 ft) whereas By-law 0225-2007, as amended permits a maximum height of eaves of 6.40 m (approx. 21 ft) in this instance.

7. A combined width of side yards of 3.89 m (approx. 12.77 ft) whereas By-law 0225-2007, as amended requires a minimum combined width of side yards of 5.26 m (approx. 17.26 ft) in this instance.

8. A setback to garage face of 7.01 m (approx. 23 ft) whereas By-law 0225-2007, as amended, requires a minimum setback to garage face of 7.5 m (24.61 ft) in this instance.

## **Planning**

The subject lands are located in the Clarkson – Lorne Park Neighbourhood, near the intersection of Clarkson Road North and Lakeshore Road West. The subject property abuts a rail corridor on the southerly side. The subject lands are slightly deficient in lot frontage. Deficient lot frontages are a common condition on Balsam Avenue.

The application was deferred at the June 14, 2018 hearing. A pre-application zoning review was submitted, and the Zoning division has identified amendments and additional variances.

The application proposes a new dwelling on a lot that was severed in 2016. The proposed dwelling requests variances for gross floor area, side yards, front yard, rear yard, height, and setback to the garage face.

Balsam Avenue has an eclectic mix of dwellings. The dwellings on Balsam Avenue have inconsistent front yard, side yard, and rear yard setbacks. The area context includes original dwelling and replacement dwellings. Larger replacement dwellings are located in the broader context, along Clarkson Road and in the Clarkson – Lorne Park Neighbourhood.

The proposed gross floor area variance is partially mitigated by the design. The dwelling proposes an articulated front façade design elements which help lessen the impact of the massing. The second storey has limited open to below areas, and is smaller than the ground floor. Part of the second storey is set back from the ground floor. There is one example of a larger replacement dwelling on Balsam Avenue, and within the broader context. Deficient side yards are part of the local context. The existing side yards setbacks for the area are very inconsistent. The variances for height are partially attributed to the grading. The average grade is lower than the established grade. The proposed design is a traditional sloped roof. The highest peak is in the centre of the dwelling. The rail corridor to the rear creates challenges for siting the dwelling. In this case, the dwelling and garage are closer to the street. The requested variances are justified in this context, are similar to newer dwellings in the area, and maintain the general intent and purpose of the zoning by-law.

The Planning and Building Department has no objection to the requested variances, as amended, but the applicant may choose to defer the application in order to verify the accuracy of the requested variances.

<http://teamsites.mississauga.ca/sites/18/CofA/Comments/2018/October/Oct 4/Oct4.rr.docx>



City of Mississauga  
**Memorandum**



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**TO:** S. Kenney, Secretary Treasurer  
Committee of Adjustment

**FROM:** D. Martin  
Transportation and Works

**DATE:** September 21, 2018

**RE:** Takebacks – October 4, 2018  
File - C.A. Agendas

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**Re:** C.A. 'A'243/18  
Nimarta Dhaliwal  
1800 Balsam Ave  
Ward 2

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling will be addressed through the future Site Plan process.

D. Martin  
Supervisor Development Engineering South  
905-615-3200 ext. 5833

## Alexander Davies

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**From:** Brandon Gaffoor <Brandon.Gaffoor@metrolinx.com>  
**Sent:** 2018/09/18 12:01 PM  
**To:** Committee Adjustment  
**Cc:** Ivan Cheung; Adam Snow  
**Subject:** Re: 1800 Balsam Avenue, Mississauga (A 243/18) - Metrolinx comments

To whom it may concern,

Further to the Committee of Adjustment hearing to be held on October 4, 2018, to discuss a minor variance application for 1800 Balsam Avenue, I note the subject site is located immediately adjacent to GO Transit's Lakeshore West rail corridor. My comments are set out below;

\*Metrolinx's setback requirement for residential uses is 30-metres to be measured from the edge of the rail corridor to the building face. The existing municipal zoning requires a 30-metre 'rear yard' setback that is consistent with Metrolinx's requirements. The applicant is proposing a 13.71-metre setback to the rail corridor, which is located at the rear of the subject site. The proposed setback does not meet both Metrolinx and City requirements. Given the circumstances, we do not support the requested variance.

\*It suggested that the applicant redesign the dwelling to meet existing and established requirements.

Should Committee of Adjustment and/or the Applicant have any questions or concerns, please feel free to contact myself.

**BRANDON GAFFOOR, B.E.S.**

Junior Analyst, Third Party Projects Review

Metrolinx

20 Bay Street | Suite 600 | Toronto | M5J 2E3

T: 416.202.7294 C: 647.289.1958



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Date: September 21, 2018

File: C of A – 'A' 257/18  
(Ward 5 – 1480 Derry Road East)

Agenda: **October 4, 2018**

### Deferred Item

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## Recommendation

The Planning and Building Department recommends the application be refused.

## Background

### Mississauga Official Plan

Character Area: Northeast Employment Area  
Designation: Mixed Use

### Zoning By-law 0225-2007

Zoning: D (Development)

## Comments

### Zoning

This Division notes that a building permit and site plan applications are required. In the absence of one of these permit applications, we are unable to confirm the accuracy of the requested variances or determine whether additional variances may be required. It should be noted that the variances, as requested, have been reviewed based on information provided, however, a full zoning review has not been completed.

Notwithstanding the above, in addition to the use permission variance, an additional variance is required to permit the erection of a new building or structure.

It should be noted that if the Committee chooses to approve this application, there are no zone standards applicable in the D zone and appropriate standards (i.e. setbacks, coverage, height, etc.) should be included in the decision.

## **Planning**

The subject site is located at southwesterly corner of Derry Road East and Dixie Road. The area context is a variety of business employment and airport uses, as well as parcels of undeveloped land.

The application requests the subject lands to be used for a motor vehicle rental facility and office trailer. The current zoning on the property is D for Development. Development Zones only allow the use legally existing on the date of passing of Zoning By-law 0225-2007. Our records indicate that the last legal use on this property was for a detached dwelling. A demolition permit was issued in 2007 for a detached dwelling. Additional variances may be necessary.

Development Charges may also be applicable. The lands are subject to the site plan control by-law.

This minor variance application does not meet the intent of the zoning by-law, is not minor in nature, and is not desirable for the appropriate development of the subject lands.

Based on the preceding, the Planning and Building Department recommend that the application be refused.



# City of Mississauga

# Memorandum



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**TO:** S. Kenney, Secretary Treasurer  
Committee of Adjustment

**FROM:** D. Martin  
Transportation and Works

**DATE:** September 21, 2018

**RE:** Takebacks – October 4, 2018  
File - C.A. Agendas

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**Re:** C.A. 'A' 257/18  
Prabh Aulakh  
1480 Derry Rd E  
Ward 5

We have reviewed the June 18, 2018 letter provided by the Region of Peel which indicates that the proposed driveway onto Derry Road East at the western limits of the property to date has not been approved by the Region of Peel; however, the Region could support a physically restricted right in/right-out access in principle at this location. The Region has also recommended a condition of approval which would require the Owner to make the satisfactory arrangements with respect to the review/approval of the proposed access which would include items such as detailed Engineering Drawings and securities.

Acknowledging that any access and grading and drainage requirements would have to be addressed by the Region of Peel as both Derry Road East and Dixie Road are both under the jurisdiction of the Region of Peel, we did note from our site inspection that there is an existing bus shelter in very close proximity to the proposed access depicted on the Site Plan submitted with the application. In view of the above we are noting that the proposed location of the new access onto Derry Road East will likely require the relocation/modifications to the existing bus shelter which must be reviewed/approved by the City of Mississauga Transit MiWay Division and any costs incurred will be the responsibility of the Owner.

D. Martin  
Supervisor Development Engineering South  
905-615-3200 ext. 5833

A 257/18





A 257/18









## Public Works

10 Peel Centre Dr.  
Suite A  
Brampton, ON  
L6T 4B9  
tel: 905-791-7800

[peelregion.ca](http://peelregion.ca)

**September 4<sup>th</sup>, 2018**

Sean Kenney, Secretary Treasurer  
Committee of Adjustment  
City of Mississauga  
2<sup>nd</sup> Floor, Clerk's Office  
Mississauga, ON – L5B 3C1

**Re:                   Region of Peel Consolidated Comments  
City of Mississauga Committee of Adjustment Hearing  
September 13<sup>th</sup>, 2018**

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**Deferred Minor Variance Application: A-257/18**  
**Traffic Division: Sean Carrick (905) 791-7800 x7868**

The proposed driveway onto Derry Road East, at the western limits of the subject property has not been approved by the Region of Peel. While the Region can support a physically restricted right-in/ right-out access at this location in principle, we will require the Owner to submit the appropriate application for the review and approval of the access.

**Condition:** Should the committee find merit in approving this application, we request a condition of approval be included, requiring the Owner to make satisfactory arrangements with the Region of Peel with respect to the review and approval of the proposed access onto Derry Road East (Regional Road 5). This includes, but is not limited to the following:

- Approved Engineering drawings
- A Road Occupancy Permit and fee
- Securities
- Engineering and inspection fees
- Certificate of Insurance

**Development Engineering: Camila Marczuk (905) 791-7800 x8230**

This site does not have frontage on existing municipal sanitary sewer  
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”

The applicant is advised that, arrangements satisfactory to the Region of Peel, Public Works, shall be made with respect to grading and drainage.

## Public Works

10 Peel Centre Dr.  
Suite A  
Brampton, ON  
L6T 4B9  
tel: 905-791-7800

[peelregion.ca](http://peelregion.ca)

Any changes to the underground water will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please call our Site Servicing Technicians at (905) 791-7800 x7973 or by email at: [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

For location of existing water and sanitary sewer infrastructure, please contact Records at (905) 791-7800 x7882 or by email at: [PWServiceRequests@peelregion.ca](mailto:PWServiceRequests@peelregion.ca)

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 8047 or by email at [tracy.tang@peelregion.ca](mailto:tracy.tang@peelregion.ca)

Sincerely,



Tracy Tang  
Junior Planner  
Development Services, Region of Peel

cc. Robert Ruggiero, City of Mississauga  
Marylu Javed, City of Mississauga  
Umar Mahmood, City of Mississauga



# City of Mississauga

## Planning and Building Department



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Date: September 21, 2018

File: C of A – 'A' 315/18  
(Ward 6 – 931 Preston Manor Drive)

Agenda: **October 4, 2018**

### Deferred Item

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## Recommendation

The Planning and Building Department has no objections to the requested variances. However, the applicant may choose to defer the application to confirm the accuracy of the requested variances and if additional variances are required.

## Background

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

Zoning: **R4** (Residential)

## Comments

### Zoning

This Division notes that a building permit application is required. In the absence of a building permit application we are unable to confirm the accuracy of the information provided, or determine whether additional variances may be required. It should be noted that the variances, as requested, have been reviewed based on information provided however a full zoning review has not been completed.

### Planning

The subject property is located within the East Credit Neighbourhood Character Area and is adjacent to an elementary school. The application was previously deferred to address additional variances that were required related to the height and floor area of the pergola.

The proposed sunroom would be located on the existing deck and does not encroach further into the side yard which minimizes impact and is sensitive to the neighbouring property. Based on the plans submitted the addition of the sunroom is similar to the existing rear portion of the dwelling in terms of sloped roof and height and maintains the general intent of the zoning by-law.

The proposed pergola is setback sufficiently to the rear and side yard lot line and would not have a negative impact on the neighbouring property. The Planning and Building Department is of the opinion that the proposed variances are minor in nature and maintain the general intent and purpose of the zoning by-law.

Based on the preceding information, the Planning and Building Department has no objections to the requested variances. However, the applicant may choose to defer the application to confirm the accuracy of the requested variances and if additional variances are required.



City of Mississauga  
**Memorandum**



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**TO:** S. Kenney, Secretary Treasurer  
Committee of Adjustment

**FROM:** D. Martin  
Transportation and Works

**DATE:** September 21, 2018

**RE:** Takebacks – October 4, 2018  
File - C.A. Agendas

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**Re:** C.A. 'A' 315/18  
Sunil & Sudha Khambaswadkar  
931 Preston Manor Dr  
Ward 6

This department has no objections to the applicant's request to permit the construction of a sunroom and pergola on the subject property. Should Committee see merit in the request we would recommend that the existing drainage pattern be maintained on the property.

D. Martin  
Supervisor Development Engineering South  
905-615-3200 ext. 5833

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Date: September 24, 2018

File: C of A – 'A' 319/18  
(Ward 2 – 825 Bexhill Road)

**Agenda: October 4, 2018**

**Deferred Item**

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## **Recommendation**

The Planning and Building Department has no objection to the requested variance, but the applicant may choose to defer the application in order to verify the accuracy of the requested variances.

## **Background**

### **Mississauga Official Plan**

Character Area: Clarkson – Lorne Park Neighbourhood  
Designation: Residential Low Density I, Greenlands

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

**Zoning:** R2-4 (Residential)

## **Comments**

### **Zoning**

This Division notes that a building permit application and a site plan approval application are required. In the absence of one of these applications we are unable to confirm the accuracy of the requested variance or determine whether additional variances may be required. It should be noted that the variance, as requested, have been reviewed based on information provided however a full zoning review has not been completed.

### **Planning**



The application was deferred at the August 23, 2018 hearing. The application was revised. The revised application requests a front yard of 7.23 m whereas the previous application requested a front yard of 7.51 m. Our previous comments remain applicable:

The subject lands are located in the Clarkson-Lorne Park Neighbourhood. The area context is detached dwellings. The application proposes a one storey addition located at the front of the dwelling. The application requests a variance for a deficient front yard.

The subject lands are larger than the requirements of the zoning by-law, however, the rear of the lands are part of the natural area survey. The existing dwelling is an older split level building. The front yards of the immediate area are inconsistent. The proposed addition is 23.69 m<sup>2</sup>. The proposed addition is only for a portion of the front façade. The proposed addition is one storey and maintains the existing low-sloped roof structure. In our opinion, the general intent and purpose of the zoning by-law is maintained.

Based on the preceding, the Planning and Building Department has no objection to the requested variance, but the applicant may choose to defer the application in order to verify the accuracy of the requested variances.

City of Mississauga  
**Memorandum**



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**TO:** S. Kenney, Secretary Treasurer  
Committee of Adjustment

**FROM:** D. Martin  
Transportation and Works

**DATE:** September 21, 2018

**RE:** Takebacks – October 4, 2018  
File - C.A. Agendas

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**Re:** C.A. 'A' 319/18  
Amina Samac  
825 Bexhill Rd  
Ward 2

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed through the future Site Plan process.

D. Martin  
Supervisor Development Engineering South  
905-615-3200 ext. 5833