

COMMITTEE OF ADJUSTMENT
AGENDA



Location: COUNCIL CHAMBER
Hearing: AUGUST 4, 2016 AT 1:30 P.M.

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

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

B-054/16	THE ERIN MILLS DEVELOPMENT CORPORATION	3527 NINTH LINE	8	Approved
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NEW APPLICATIONS - (MINOR VARIANCE)

A-317/16	DOUG GILBERT & KIM WALLACE	1319 SOUTH ALDO DR	2	Sept. 15
A-318/16	LINDA PINIZZOTTO	297 LAKESHORE RD E	1	Oct. 6
A-319/16	CLARKSON VILLAGE PLAZA CORP.	1834 LAKESHORE RD W	2	Sept. 15
A-320/16	ANDY RAGOONATH	3156 AUGUSTA DR	9	Refused
A-321/16	BASEM ABDOU	5451 FRESHWATER DR	10	Approved
A-322/16	JAMAL AHMED	3245 ESCADA DR	10	Refused
A-323/16	AATEQ NASREEN	6546 SNOW GOOSE LANES	10	Approved
A-324/16	BAB UI HAWAIJ ISLAMIC CENTRE	1893 BONHILL RD	5	Approved 3 Years
A-325/16	AERO PORTFOLIO LTD	7615 BATH RD	5	Sept. 29
A-326/16	STEPHEN MITCHELL REALTY LIMITED	2555 DIXIE RD	1	Approved
A-327/16	HAJUNA INVESTMENTS LIMITED	3663 MAVIS RD	7	Approved
A-328/16	CHRISTOS TSIAGKIRIS	235 LAKESHORE RD E	1	Approved
A-329/16	MICHAEL & MARIANA TAYLOR	390 REVUS AVE	1	Approved
A-330/16	2515878 ONTARIO INC.	2375 LUCKNOW DR	5	Approved

COMMITTEE OF ADJUSTMENT

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

THE ERIN MILLS DEVELOPMENT CORPORATION

on Thursday, August 4, 2016

The Erin Mills Development Corporation is the owner of 3527 Ninth Line being Part of Lot 9, Registered Compiled Plan 1542, zoned E2-93 and E2-114, Employment. The applicant requests the consent of the Committee to the transfer/creation of a new lot, lease, mortgage and/or charge subject to and/or together with easements and reciprocal driveway easements on a parcel of land having a frontage of approximately 168.00m (551.18ft.) and having an area of approximately 1.22 ha (3.01 acres). The effect of the application is to create a new lot for employment purposes.

Mr. F. Gasbarre, authorized agent, attended and presented the application. Mr. Gasbarre presented a site plan for the Committee's review and consideration indicating that approval is being requested to sever the existing property. He advised that the property was recently the subject of a long term lease for a self-storage facility. Mr. Gasbarre indicated that they now wish to purchase the property. Mr. Gasbarre advised that reciprocal easements are required for access and driveways.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (July 29, 2016),
City of Mississauga, Transportation and Works Department (July 29, 2016),
City of Mississauga, Community Services Department (August 2, 2016),
Region of Peel, Environment, Public Works, Development Services Division (July 22, 2016)

No other persons expressed any interest in the application.

When asked, Mr. Gasbarre indicated that he had reviewed the recommended conditions and consented to their imposition should the application be approved.

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

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.

2. An application amendment letter shall be received from the applicant or authorized agent confirming that the "severed" land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no additional services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager/Supervisor, Zoning Plan Examination, indicating that the "severed" and "retained" lands comply with the provisions of the Zoning By-law with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to existing building(s), or alternatively, any minor variance is approved, final and binding and/or the demolition of any existing building(s).
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated July 29, 2016.

MOVED BY: D. George

SECONDED BY: S. Patrizio

CARRIED


Application Approved, on conditions as stated.


Dated at the City of Mississauga on August 11, 2016.

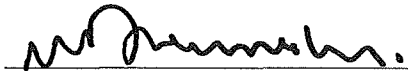
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **SEPTEMBER 4, 2016**.

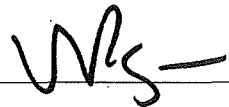
Date of mailing is August 15, 2016.

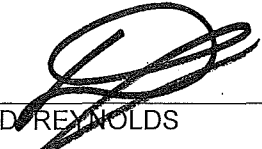

S. PATRIZIO

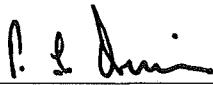

D. GEORGE


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 August 11, 2016.


DAVID L. MARTIN, SECRETARY-TREASURER

NOTES:

The decision to give provisional consent shall be deemed to be refused if the conditions of provisional consent, have not been fulfilled on or before **August 15, 2017**.

See "SUMMARY OF APPEAL PROCEDURES" and "FULFILLING CONDITIONS & CERTIFICATE ISSUANCE" attached.

COMMITTEE OF ADJUSTMENT

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

ANDY RAGOONATH

on Thursday, August 4, 2016

Andy Ragoonath is the owner of 3156 Augusta Drive being Part of Lot 54, Registered Plan M-599, zoned RM2-4, Residential. The applicant requests the Committee to authorize a minor variance to permit an addition to the existing dwelling proposing a rear yard of 5.32m (17.45ft.); whereas By-law 0225-2007, as amended requires a minimum rear yard of 7.50m (24.60ft.) in this instance.

Ms. A. Alzoor, authorized agent, attended and presented the application to permit the construction of a two storey addition to the rear of the existing dwelling proposing a reduced rear yard. Ms. Alzoor presented plans for the Committee's review and consideration and advised that the deck, which is currently shown on the plans, is not to be constructed.

Ms. Alzoor advised that the addition is required to provide supplementary space for the growing family. She indicated that they have discussed the application with the neighbours who have indicated they do not object to the application. Ms. Alzoor indicated that there are no windows on the sides of the addition and there are many trees located in the rear yard that will provide privacy for the neighbours. She also advised that the dwelling is located on a pie shaped lot which allows additional landscaping to be provided.

Ms. Alzoor advised that the adjoining neighbour has no objection to the application and also wishes to construct an addition to their home.

Mr. N. Noorzad, of Noor & Associates, attended and advised that the addition is 4.57m (15.00ft.). He indicated that a 3.04m (10.00ft.) addition is permitted under the Zoning By-law. Mr. Noorzad advised that they are seeking a further reduction of 1.52m (5.00ft.) into the rear yard.

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

The City of Mississauga Planning and Building Department commented as follows (July 29, 2016):

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM2-4

Other Applications:

Comments

Zoning

We note 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 variance(s) may be required. It should be noted that the variance(s), as requested, have been reviewed based on information provided however a full zoning review has not been completed.

It appears that a variance may be required for the setback to the rear deck as well. No setback information has been provided to the closest point of the deck.

Planning

The application is proposing a new addition with a reduced rear yard setback. The neighbourhood was developed in the late 1980s and the dwellings are consistent in size and scale.

The lot is pie shaped, but the dwelling and the rear lot line are parallel. The proposed addition requests a reduced rear yard to run the width of the existing dwelling. It is not a pinch point due to the constraints of an irregularly shaped lot.

The reduced rear yard setback may impose a negative massing impact on the neighbouring properties. The intent of the rear yard is to provide separation, privacy, light, greenspace, and soft landscaping between dwellings. This proposal limits opportunities for greenspace and soft landscaping, and impacts separation and privacy. A 7.50m rear yard is the minimum requirement throughout the majority of residential zones in Mississauga. The location of the property on the court of the cul-de-sac exacerbates the impact. The proposed addition is out of character in the local context, not a desirable condition, nor is it considered minor.

It is our opinion that the proposed addition can be reduced and redesigned to increase the rear yard setback.

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

The City of Mississauga Transportation and Works Department commented as follows (July 29, 2016):

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

The Region of Peel, Public Works, Development Services Division commented as follows (July 22, 2016):

"We have no comments or objections."

Mr. I. St. John and Ms. J. St. John, property owners at 3154 Augusta Drive, attended and expressed concerns with respect to the size of the addition and the impact on the amount of sunlight and privacy in their backyard. They advised that the houses are linked underground and expressed their concerns that the existing foundation may be impacted when the new foundation wall is constructed. They noted that the 0.60m (2.00ft.) setback provides insufficient space to provide access and/or maintain the property. They indicated that they have not provided any authorization to allow the construction.

Mr. J. Barbour, property owner at 3160 Augusta Drive, attended and advised that the applicant has discussed construction details with him. He advised that they agreed to accept responsibility for any damages to his property and to complete the necessary repairs associated with the construction of the addition. Mr. Barbour indicated that he has no objection to the application.

No other persons expressed any interest in the application.

Mr. Noorzad advised that the proposed construction will not affect the existing foundation link wall. Ms. Alzoor and Mr. Noorzad advised that the property is pie-shaped and provides ample amenity area and indicated that there are many trees in the rear yard.

The Committee, after considering the submissions put forward by Ms. Alzoor and Mr. Noorzad and having reviewed the plans and comments received, is not satisfied that the request is desirable for the appropriate further development of the subject property. The Committee indicated that the massing of the structure will adversely affect the neighbouring properties and impact on the amount of sunlight provided.

The Committee is not satisfied that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained in this instance.

The Committee is of the opinion that the request is not minor in nature in this instance.

Accordingly, the Committee resolves to deny the request as presented.

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

File: "A" 320/16
WARD 9

Application Refused.

Dated at the City of Mississauga on August 11, 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 **AUGUST 31, 2016**.

Date of mailing is August 15, 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 August 11, 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

BASEM ABDOU

on Thursday, August 4, 2016

Basem Abdou is the owner of 5451 Freshwater Drive being Lot 167, Registered Plan M-1734, zoned R6-1, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a one storey addition to the existing dwelling proposing a rear yard of 5.90m (19.36ft.); whereas By-law 0225-2007, as amended requires a minimum rear yard of 7.50m (24.60ft.) in this instance.

Mr. D. Tadros, of Pure Building Group, authorized agent, attended and presented the application to permit the construction of an addition to the existing dwelling. Mr. Tadros advised that the property was previously the subject of another Minor Variance application, 'A' 250/16, requesting a 6.82m (22.37ft.) rear yard which was approved by the Committee. Mr. Tadros indicated that the size of the addition was too small and it is uneconomical to build. He advised that the designer prepared a new layout that provides a better use of the floor area. Mr. Tadros presented a copy of a petition that indicated there were no objections to the application.

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

The City of Mississauga Planning and Building Department commented as follows (July 29, 2016):

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R6-1

Other Applications:

Comments

Zoning

We note 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 variance(s) may be required. It should be noted that the variance(s), as requested, have been reviewed based on information provided however a full zoning review has not been completed.

Planning

At the June 16, 2016 hearing, application A 250/16 requested a 6.82m rear yard setback and was approved by the committee. The present application requests a revised rear yard setback of 5.90m, where the minimum rear yard in this instance is 7.50m.

The application is proposing a new one storey addition across the full length of the subject dwelling. The application did not include any rationale as to why a new variance is required since the June hearing. Building plans have not been received by Zoning, and therefore additional variances may be required.

The Department does not interpret this application as an incremental reduction from the previous approval; rather it is viewed as a fresh application to vary the zoning by-law.

The intent of the rear yard is to provide separation, privacy, light, greenspace, and soft landscaping between dwellings. This proposal limits opportunities for greenspace and soft landscaping, and impacts separation and privacy. A 7.50m rear yard is the minimum requirement throughout the majority of residential zones in Mississauga. The current proposal is not a desirable condition, nor is it considered minor.

Based on the preceding, the Planning and Building Department recommends that the application be refused. Should the Committee see merit in this application, a deferral may be considered to allow the applicant to file a Building Permit application to ensure that all variances are captured and no further incremental reductions to the by-law are proposed."

The City of Mississauga Transportation and Works Department commented as follows (July 29, 2016):

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

The Region of Peel, Public Works, Development Services Division commented as follows (July 22, 2016):

"We have no comments or objections."

A letter was received from H. Muzaffar & S. Humayun, property owners at 5451 Freshwater Drive, expressing no objection to the application.

No other persons expressed any interest in the application.

The Committee noted that the petition that was presented was submitted at the June 16, 2016 Hearing for the previous application.

The Committee, after considering the submissions put forward by Mr. Tadros and having reviewed the plans, is satisfied that the request is desirable for the appropriate further development of the subject property. The Committee indicated that the small addition is a single storey addition and will not adversely impact the neighbours noting it has a low slope roof.

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.



MISSISSAUGA

File: "A" 321/16
WARD 10

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.

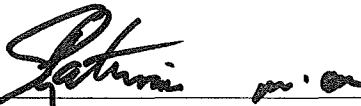
MOVED BY:	P. Quinn	SECONDED BY:	D. George	CARRIED
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Application Approved.

Dated at the City of Mississauga on August 11, 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 **AUGUST 31, 2016.**

Date of mailing is August 15, 2016.



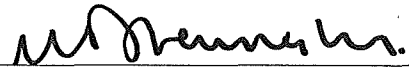
 S. PATRIZIO



 D. GEORGE

DISSENTED

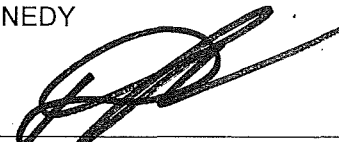
 J. ROBINSON (CHAIR)



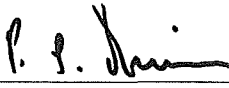
 D. KENNEDY

DISSENTED

 J. PAGE

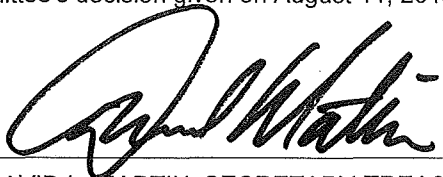


 D. REYNOLDS



 P. QUINN

I certify this to be a true copy of the Committee's decision given on August 11, 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

JAMAL AHMED

on Thursday, August 4, 2016

Jamal Ahmed is the owner of 3245 Escada Drive being Lot 86, Registered Plan M-1609, zoned R6-1, Residential. The applicant requests the Committee to authorize a minor variance to permit the existing driveway to remain having a driveway width of 10.38m (34.05ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.10m (20.01ft.) in this instance.

Mr. J. Ahmed, property owner, attended and presented the application to permit the existing driveway to remain. Mr. Ahmed advised that he widened the driveway to provide easier access for his mother. He indicated that she lives with him and uses a walker. The increased driveway width allows her easier access from the car to the house. Mr. Ahmed indicated that he did not realize that he required approval to widen his driveway.

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

The City of Mississauga Planning and Building Department commented as follows (July 29, 2016):

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Low Density I

Zoning By-law 0225-2007

Zoning: R6-1

Other Applications:

Second Unit Permit CSU 15/5485

Comments

Zoning

We note that a building permit is not required in this instance. It should be noted that the variance, as requested, has been reviewed based on information provided, however a full zoning review has not been completed.

Based on information provided with this application, we are unable to confirm the accuracy of the requested variance or determine whether additional variance(s) may be required.

Planning

The requested driveway width and configuration provides excessive hard surface, minimal landscaping, and allows for four vehicles to be parked across the front of the dwelling, which is not desirable or within the intent of the Zoning By-law. The Zoning By-law intends that the width of driveways in most low density residential zones be limited to providing space for two vehicles to park side by side.

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

The City of Mississauga Transportation and Works Department commented as follows (July 29, 2016):

"This department is not supportive of the existing driveway as widened, in particular the portion over the City's municipal boulevard area. In view of the above we would recommend that the application be refused or alternatively deferred until such time that the applicant has provided a revised plan acceptable to both the Planning and Building and Transportation and Works Department staff which would specifically highlight the details of any modifications required to the existing widened driveway."

The Region of Peel, Public Works, Development Services Division commented as follows (July 22, 2016):

"We have no comments or objections."

A memo was received from Councillor McFadden indicating that since the sign was erected on the property, she has not received any inquiries or comment on the matter from neighbouring property owners or the community.

An e-mail was received from Y. El Hawasli, resident at 3244 Escada Drive indicating no issues with the widened driveway.

An e-mail was received from J. Da Silva, property owner at 3249 Escada Drive indicating support for the application.

An e-mail was received from H. Ansari, resident at 3232 Escada Drive, expressing no objection to the application.

A letter was received from S. Hale, resident at 3278 Pringle Place, expressing support for the application.

An e-mail was received from T. Nguyen, of 3253 Escada Drive, expressing opposition to the application and noting her concerns regarding excessive width, aesthetics, and snow removal.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Ahmed and having reviewed the plans and comments received, is not satisfied that the request is desirable for the appropriate further development of the subject property. The Committee indicated that the driveway is too wide and too close to the side property lines. They indicated that there



MISSISSAUGA

File: "A" 322/16
WARD 10

is too much hard surface area in the front yard. The parking of possibly six vehicles in the front yard is not within the intent of the By-law.

The Committee is not satisfied that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained in this instance.

The Committee is of the opinion that the request is not minor in nature in this instance.

Accordingly, the Committee resolves to deny the request as presented.

MOVED BY:	J. Page	SECONDED BY:	D. Reynolds	CARRIED
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Application Refused.

Dated at the City of Mississauga on August 11, 2016.

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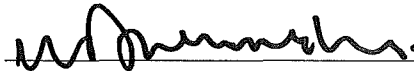
S. PATRIZIO



D. GEORGE



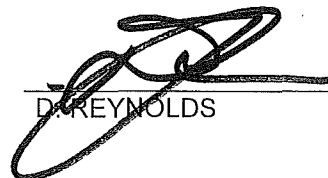
J. ROBINSON (CHAIR)



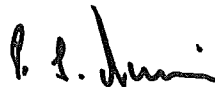
D. KENNEDY



J. PAGE



D. REYNOLDS



P. QUINN

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DAVID L. MARTIN, SECRETARY-TREASURER

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IN THE MATTER OF 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

AATEQ NASREEN

on Thursday, August 4, 2016

Aateq Nasreen is the owner of 6546 Snow Goose Lanes being Lot 262, Registered Plan M-616, zoned R14, Residential. The applicant requests the Committee to authorize a minor variance to permit a basement entrance stairwell, facilitating a second dwelling unit, to be constructed outside the buildable area and in an area designated as landscaped area as per Figure 4.5.1; whereas By-law 0225-2007, as amended, requires development in accordance with Figure 4.5.1 and does not permit the basement entrance stairwell to be constructed in a landscaped area in this instance.

Mr. S. Chitale, of Antrix Architects Inc., authorized agent, attended and presented the application to construct a basement entrance stairwell on the subject property. Mr. Chitale presented plans for the Committee's review and consideration and indicated the location of the stairwell. He advised that the stairwell is located in an area that is designated as landscaped area. Mr. Chitale advised that the stairwell will provide access to a secondary unit. He indicated that a second unit is a permitted use under 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 (July 29, 2016):

"Recommendation

The Planning and Building Department has no objection to the application,

Background

Mississauga Official Plan

Character Area: Lisgar Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R14

Other Applications:

Comments

Zoning

The Building Department is currently processing a building permit application under file 16-663 SU. Based on review of the information currently available for this building permit, we advise that the following variance should be amended as follows:

to permit a basement entrance stairwell, facilitating a second dwelling unit, to be constructed not in compliance with Figure 4.5.1; whereas By-law 0225-2007, as amended, requires development to be in accordance with Figure 4.5.1 in this instance.

Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the building permit process, these comments may no longer be valid.

Planning

The neighbourhood context of Snow Goose Lanes is an example of dwellings not sited parallel to the street. The dwellings are sited on 45 degree angles, and in turn create atypical front, side, and rear yards. Due to the unique lotting and siting pattern, the neighbourhood zoning employs building area and minimum lot dimension bylaws instead of setbacks.

The intent of the limits to the buildable area, in part, is to ensure access around the property, including access for emergency services, as well as maintaining privacy and separation between dwellings.

The proposed basement entrance is located in the side yard of the dwelling, adjoining the side yard of the neighbouring dwelling. The access to the rear of the property is still maintained on both sides. The property and the neighbouring property are well landscaped with mature trees. The property to the west is a school yard, further limiting the impact.

In addition, due to the elevation change, the proposed basement entrance stairwell only requires two risers. In the opinion of the Planning and Building Department, we find the proposal to be minor in nature.

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

The City of Mississauga Transportation and Works Department commented as follows (July 29, 2016):

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

The Region of Peel, Public Works, Development Services Division commented as follows (July 22, 2016):

"We have no comments or objections."

Letters were received from J. Robitaille, property owner at 6545 Snow Goose Lanes expressing opposition to the application and noting his concerns with respect to the second unit noting that the distance from the property line is too close to construct a sidewalk for the new entrance. Mr. Robitaille indicated that the lot configurations in the neighbourhood were not designed to accommodate two units. He advised that having two units within the home will increase the traffic and cause adverse impact to the neighbours, especially with respect to safety.



A letter was received from K. Chin, property owner at 6525 Snow Goose Lanes, expressing opposition to the application noting that there is insufficient room to allow an expansion of the footprint bringing it closer to the neighbouring lots reducing the privacy and space that is typical of the Trelawny neighbourhood. Mr. Chin provided a copy of a report on Crime Prevention Through Environmental Design by Peel Police Officer T. McKay and advised that the neighbourhood's unique design fosters a strong sense of community and privacy within each cul-de-sac. As there is no through traffic, safety is improved. Mr. Chin further advised that the population of the neighbourhood will increase beyond the intended capacity resulting in increased traffic, parking problems and congestion.

A letter was received from B. Sanderson, of 6526 Snow Goose Lanes, expressing opposition to the application noting that there is only space in the driveway for two vehicles and not enough space for parking on the cul-de-sac. He advised that if the second unit is approved, there will be more complications for yard waste, garbage, recycling, and snow removal.

An e-mail was received from R. Ennis, property owner at 3303 Trelawny Circle, indicating no objection to the application if utilized by the owner; however, if utilized for a second unit, he objects.

A letter was received from K. Hayward, property owner at 6544 Snow Goose Lanes, expressing objection to the application and noting that the parking is limited due to the small lot size and increased traffic is a concern. In addition the second dwelling unit will increase the density and devalue neighbourhood properties. She also expressed concerns that the application, if approved, will set a precedent and more applicants will apply to convert nearby homes to multi-family dwellings.

An e-mail was received from R. Lo, property owner at 6541 Snow Goose Lanes expressing opposition to the application and noting concern with respect to traffic and parking problems.

A letter was received from I. Polo, of 6543 Snow Goose Lanes, expressing opposition to the application. She advised that the property owner does not live in the dwelling and the home is currently occupied by ten children, 3 adult males and 2 adult women. She expressed concerns that the number of occupants will increase if the application is approved. Ms. Polo advised that the street has fulltime prohibited parking. She indicated that the proposal, if approved, will damage the current aesthetics, increase traffic, set a precedent, and devalue the properties in the neighbourhood.

No other persons expressed any interest in the application.

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

The Committee consented to the request and, after considering the submissions put forward by Mr. Chitale and having reviewed the plans, is satisfied that the amended request is desirable for the appropriate further development of the subject property. The Committee indicated that the increase in buildable area is minor in this instance. They noted that a second unit is permitted under the Zoning By-law.

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

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



MISSISSAUGA

File: "A" 323/16
WARD 10

Accordingly, the Committee resolves to authorize and grant the amended request to permit a basement entrance stairwell, facilitating a second dwelling unit, to be constructed not in compliance with Figure 4.5.1; whereas By-law 0225-2007, as amended, requires development to be in accordance with Figure 4.5.1 in this instance.

MOVED BY:	S. Patrizio	SECONDED BY:	P. Quinn	CARRIED
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Application Approved, as amended.


Dated at the City of Mississauga on August 11, 2016.

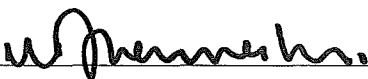
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **AUGUST 31, 2016**.

Date of mailing is August 15, 2016.


S. PATRIZIO



D. GEORGE


J. ROBINSON (CHAIR)


D. KENNEDY


J. PAGE

ABSENT
D. REYNOLDS


P. QUINN

I certify this to be a true copy of the Committee's decision given on August 11, 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

BAB UI HAWAIJ ISLAMIC CENTRE

on Thursday, August 4, 2016

Bab Ui Hawaj Islamic Centre is the owner of 1893 Bonhill Road being Lot 7, Concession 4 E.H.S., zoned E3, Employment. The applicant requests the Committee to authorize a minor variance to permit the establishment of a place of religious assembly proposing to provide:

1. a total of 41 parking spaces on site; whereas By-law 0225-2007, as amended, requires a total of 129 parking spaces to be provided on site in this instance; and,
2. a total of two (2) accessible parking spaces on site; whereas By-law 0225-2007, as amended, requires a minimum of five (5) accessible parking spaces to be provided on site in this instance.

Ms. D. Anderson, of MHBC Planning Urban Design and Landscape Architecture, authorized agent, attended and presented the application. She advised that the Islamic Centre has been classified as a "Place of Worship"; however, it operates more like a Community Centre providing cultural and religious activities and support to new immigrants.

Ms. Anderson advised that the Centre has been operating since 2012. She indicated that the activities have grown and have now expanded into the entire building. Ms. Anderson indicated that a building permit has been submitted and, through this process, it has been determined that there is insufficient parking provided on site.

Ms. Anderson advised that a Parking Utilization Study has been prepared and was submitted for review. She indicated that, although the number of parking spaces provided on site appears to be a significant request, the hours that the Islamic Centre is being utilized are off-set from the hours of operation for the businesses in the surrounding area. Mr. Anderson advised that the Islamic Centre is primarily utilized on Thursday and Friday evenings and on Sunday mornings. She indicated that when they have certain occasional celebrations, they have requested permission from the neighbours to utilize their parking spaces for the participants. Ms. Anderson noted that there is on-street parking available.

Ms. Anderson advised that, although they are able to provide 41 parking spaces on-site, there are opportunities for off-site parking. She advised that she is in receipt of the comments from the Planning and Building Department and indicated that they are in the process of revising the Site Plan to re-instate the tandem parking spaces. Ms. Anderson advised that there are no paid employees working at the facility; there are only volunteers. She requested that the wording in the condition be changed so that the tandem parking spaces be for "volunteers" and not "staff".

Ms. Anderson indicated that they would prefer that the approval not be tied to a time period noting that the Islamic Centre is a charitable organization and returning to the Committee every few years to obtain a renewal is expensive. She requested that the application be tied to the hours of operation for the Islamic Centre as described in the letter dated June 28, 2016. She indicated that the Islamic Centre operates on Thursday and Friday evenings from 5:00p.m. onwards and on Sunday mornings until about noon. Ms. Anderson indicated that there are 14 special days that the Islamic Centre operates and, on these occasions, they designate a traffic guard to direct the patrons to the parking areas.

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

The City of Mississauga Planning and Building Department commented as follows (July 29, 2016):

"Recommendation

The Planning and Building Department has no objection, as amended and subject to the conditions, but the applicant may wish to defer the application in order to submit a revised site plan and provide more information.

Background

Mississauga Official Plan

Character Area: Northeast Employment Area (West)
Designation: Industrial

Zoning By-law 0225-2007

Zoning: E3

Other Applications:

Place of Religious Assembly C15/4337

Comments

Zoning

The Building Department is currently processing a certificate of occupancy permit application under file 15-4337. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Planning

The application is proposing a cultural centre with occasional, 14 times per year, religious assembly uses. The certificate of occupancy classifies the facility as a place of religious assembly. The application is requesting a parking variance. The applicant indicated that the Islamic Centre is considered a registered charity to provide services for seniors and youth of the Shia Islamic community and not a place of religious assembly. Furthermore, MHBC Planning Limited, in the letter provided with the minor variance application, also confirmed that the establishment does not operate as a mosque and therefore does not include typical weekly Friday prayer service.



A Parking Study submitted by Engineering Design and Development Integrated, dated March 2016, is in support of the minor variance application. The study indicates that proposed facility is only open on Thursday and Friday evening and on Saturday mornings. The Study notes that the onsite parking would meet the needs of the facility on a day-to-day basis. During extraordinary operations, the facility proposes to use off-site parking, and has included six signed letters from adjacent landowners representing an additional 85 parking spaces during off peak and weekend hours. The application proposes 41 parking spaces on-site, and 85 parking spaces off-site, for a total of 126 spaces, where 129 spaces are required in this instance.

The applicant provided a site plan, dated June 20, 2016, with 41 parking spaces. Previously, the applicant proposed 48 parking spaces on site, with six tandem parking spaces. Staff support three tandem parking spaces reserved exclusively for facility staff, which in addition to the on-site spaces and off-site spaces, would meet the zoning by-law requirement for the subject site.

Staff request the site plan be updated to accommodate an additional three tandem parking spaces. Staff recommend the variance be amended as follows:

to permit a total of 44 parking spaces on site, including three (3) tandem spaces; whereas By-law 0225-2007, as amended, requires a total of 129 parking spaces to be provided on site and does not permit tandem spaces in this instance ;

Therefore, staff can support the variance with the following conditions:

1. That 3 tandem parking spaces be provided in this instance and that those spaces be reserved exclusively for staff at the Bab Ui Hawajj Islamic Centre;
2. That the variance be approved for a temporary period of three years in order to evaluate the operation;

The Planning and Building Department has no objection, as amended and subject to the conditions, but the applicant may wish to defer the application in order to submit a revised site plan and provide more information."

The City of Mississauga Transportation and Works Department commented as follows (July 29, 2016):

"Enclosed for Committee's easy reference are a number of photo's which depict the subject property."

The Region of Peel, Public Works, Development Services Division commented as follows (July 22, 2016):

"We have no comments or objections."

No other persons expressed any interest in the application.

The Committee consented to the request to amend the application.

The Committee, after considering the submission put forward by Ms. Anderson and noting the nature of the operation, is satisfied that the amended request is desirable for the appropriate development of the subject property. The Committee indicated that the fourteen occasional days make it difficult to limit the time of use. They indicated that they prefer a time-limited approval to allow them an opportunity to evaluate the situation and determine whether any approval should be granted in the future.

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.



MISSISSAUGA

File: "A" 324/16
WARD 5

Accordingly, the Committee resolves to authorize and grant the amended request to permit a total of 44 parking spaces on site, including three (3) tandem spaces; whereas By-law 0225-2007, as amended, requires a total of 129 parking spaces to be provided on site and does not permit tandem spaces in this instance

This application is approved for a temporary period of three (3) years to expire and terminate on August 31, 2019, subject to the following condition:

1. That three (3) tandem parking spaces be provided in this instance and that those spaces be reserved exclusively for volunteers at the Bab Ui Hawaij Islamic Centre.

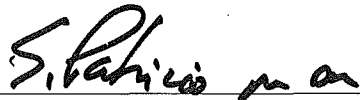
MOVED BY:	P. Quinn	SECONDED BY:	J. Page	CARRIED
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Application Approved, as amended, temporarily, on condition as stated.

Dated at the City of Mississauga on August 11, 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 **AUGUST 31, 2016.**


Date of mailing is August 15, 2016.



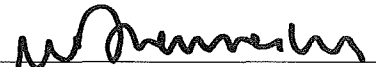
 S. PATRIZIO



 D. GEORGE



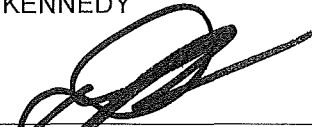
 J. ROBINSON (CHAIR)



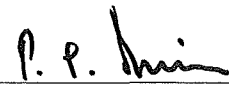
 D. KENNEDY



 J. PAGE



 D. REYNOLDS



 P. QUINN

I certify this to be a true copy of the Committee's decision given on August 11, 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

STEPHEN MITCHELL REALTY LIMITED

on Thursday, August 4, 2016

Stephen Mitchell Realty Limited is the owner of 2555 Dixie Road being Part of Lot 5, Concession 1 S.D.S., zoned C3-1, Commercial. The applicant requests the Committee to authorize a minor variance to permit the classification of the subject property as a Retail Centre proposing a parking rate of 3.33 parking spaces per 100.00m² (1076.39sq.ft.) Gross Floor Area; whereas By-law 0225-2007, as amended, requires a minimum parking rate of 5.40 parking spaces per 100.00m² (1076.39sq.ft.) Gross Floor Area for a Retail Centre in this instance.

Mr. N. Papapetrou, of SmartREIT, authorized agent, attended and presented the application. Mr. Papapetrou indicated that the purpose of the application is to re-classify the plaza as a "Retail Centre" providing parking at a rate of 3.33 parking spaces per 100.00m² (1076.39sq.ft.) Gross Floor Area. He indicated that they have prepared a Parking Utilization Study for review by the Policy Section. Mr. Papapetrou indicated that the parking study satisfactorily justifies the requested reduction in parking.

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

The City of Mississauga Planning and Building Department commented as follows (August 3, 2016):

"Recommendation

The Planning and Building Department has no objection to the requested variance, as amended; however, the applicant may wish to defer the application to verify the accuracy of the requested variance or to determine whether any additional variances may be required.

Background

Mississauga Official Plan

Character Area: Dixie Employment Area
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C3-1 (Commercial)

Other Applications:

N/A

Comments

Zoning

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, the request should be amended as follows:

"To treat the site as a retail centre allowing parking to be calculated at a rate of 3.33 parking spaces per 100 square metres GFA - Non-residential; whereas by-law 225-2007, as amended, requires a minimum of 5.4 spaces per 100 square metres GFA Non-Residential."

Notwithstanding the above, based on information provided with this application, we are unable to confirm the accuracy of the requested variance or determine whether additional variances may be required."

Planning

A parking survey and letter of justification prepared by GHD, dated June 29, 2016, has been received and reviewed by City staff. The parking survey results demonstrated a peak parking demand of 55 vehicles based on an occupied GFA of 3263.84 m². The peak parking rate generated by the tenants of the occupied units was 1.69 spaces /100 m². If the same rate were to be applied to the vacant units the peak demand would be 86 spaces; however, the vacant space should be taken at the By-law rate of 5.4 spaces/100 m² and not the observed peak demand. At a rate of 5.4 spaces/100 m² the additional Gross Floor Area (GFA) would account for an additional demand in parking of 99 parking spaces. Therefore, based on staff calculations, the projected peak parking demand would be 154 parking spaces, which represents a 90% utilization rate.

Based on the preceding information, the Planning and Building Department has no objection to the requested variance, as amended; however, the applicant may wish to defer the application to verify the accuracy of the requested variance or to determine whether any additional variances may be required."

The City of Mississauga Transportation and Works Department commented as follows (July 29, 2016):

"We are noting for information purposes that the Planning and Building Department will be commenting on behalf of this department with regards to any parking requirements for this property."

The Region of Peel, Public Works, Development Services Division commented as follows (July 22, 2016):

"We have no comments or objections."

The Toronto Region Conservation commented as follows (July 21, 2016):

"This letter will acknowledge receipt of the above noted application. Thank you for the opportunity to review this application (received on July 15, 2016). 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 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 Minor Variance application is to permit the establishment of a Place of Religious Assembly within units 10 and 11 of the subject property proposing a parking rate of 3.33 parking spaces per 100 square metres (1076.39 square feet) Gross Floor Area, whereas the bylaw requires a minimum parking rate of 5.4 parking spaces per 100 metres (1076.39 square feet) Gross Floor Area in this instance.

Recommendation

On the basis of the comments noted below, TRCA staff recommends **deferral** of the subject Minor Variance application. Should the Committee not grant a deferral of the application at the August 4, 2016, meeting, TRCA staff recommends denial of the application at this time.

Applicable TRCA Policies and Regulation

A large portion of the subject property is located within TRCA's Regulated Area and is therefore subject to Ontario Regulation 166/06 (as amended) and the policies within TRCA's LCP. Based on our review, it appears that the existing building is located within TRCA's Regulated area as they are within the Regional Storm Floodplain associated with the Etobicoke Creek watershed.

Application Specific Comments:

The PPS provides direction on all planning applications. According to subsection 3(5) and (6) of the *Planning Act*, all decisions made by a municipality and comments provided by the TRCA shall be consistent with the PPS. Through our MOU between Conservation Ontario, the Ministry of Municipal Affairs and Housing (MMAH) and the Ministry of Natural Resources and Forestry (MNRF), the responsibility to uphold the natural hazards section of the PPS (Section 3.1) has been delegated to Conservation Authorities. In this delegated role, the TRCA is responsible for representing Provincial interests on natural hazard matters where the Province is not involved.

Based on correspondence with the applicant, the proposed Place of Religious Assembly will include classes approximately once a week. Please be advised, Section 3.1.5 of the PPS identifies sensitive uses, which includes schools, as not permitted to be located in hazardous lands. As such, the TRCA requires further clarification regarding operation of the proposed Place of Religious Assembly as well as appropriate planning justification. Please provide the following materials to the undersigned:

1. A planning justification report outlining the operations of the Place of Religious Assembly. This should include details regarding the classes that will take place on site, with specific reference to the PPS and all other relevant policies.

Please note, while the TRCA understands that this Minor Variance application specifically relates to parking for the site, it also endorses the proposed use for the building, which may not be permitted within a flood hazard. As such, the TRCA recommends deferral of this application until the applicant has provided the above noted materials for review."

No other persons expressed any interest in the application.

Mr. Papapetrou, upon hearing the comments of the Committee and the Planning and Building Department, requested that the application be amended in accordance with their recommendations. He further indicated that the existing site will remain in its present condition and no changes are proposed to the layout.

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

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



MISSISSAUGA

File: "A" 326/16
WARD 1

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

Accordingly, the Committee resolves to authorize and grant the amended request to treat the site as a retail centre allowing parking to be calculated at a rate of 3.33 parking spaces per 100.00 m² (1076.42sq.ft.) GFA - Non-Residential; whereas By-law 0225-2007, as amended, requires a minimum of 5.4 parking spaces per 100.00m² (1076.42sq.ft.) GFA - Non-Residential in this instance.

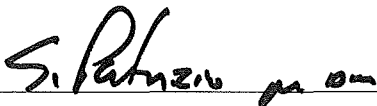
MOVED BY:	D. Reynolds	SECONDED BY:	S. Patrizio	CARRIED
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Application Approved, as amended.


Dated at the City of Mississauga on August 11, 2016.

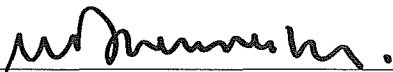
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **AUGUST 31, 2016**.

Date of mailing is August 15, 2016.

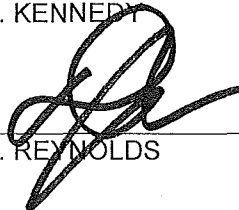

S. PATRIZIO

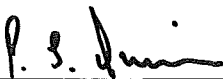

D. GEORGE


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 August 11, 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

HAJUNA INVESTMENTS LIMITED

on Thursday, August 4, 2016

Hajuna Investments Limited is the owner of 3663 Mavis Road being Part of Lot 20, Concession 1 N.D.S., zoned D-10, Development. The applicant requests the Committee to authorize a minor variance to permit the continuation of a restaurant use on the subject property as previously approved per application 'A' 214/09 providing zero (0) parking spaces; whereas By-law 0225-2007, as amended, only permits a building or structure legally existing on the date of passing of this By-law and the existing legal use of such building or structure and requires parking to be provided at a rate of 16 parking spaces per 100.00m² (1067.39sq.ft.) Gross Floor Area - Restaurant in this instance.

Mr. R. Carone, authorized agent, attended and presented the application to continue to permit the operation of a restaurant on the subject property. He advised that the restaurant will continue to operate in the same manner as previously approved.

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

The City of Mississauga Planning and Building Department commented as follows (August 3, 2016):

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Fairview Neighbourhood
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: D-10 (Development)

Other Applications:

Certificate of Occupancy File: 09-5103

Comments

Zoning

N/A

Planning

The requested variance is a continuation of a previous Committee approval for file A 214/09. There have not been any recorded concerns with regards to parking for this take out restaurant since the previous approval in 2009. The site appears to have adequate parking to accommodate all the uses on site and we have no objection to the continuation of this variance approval.

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

The City of Mississauga Transportation and Works Department commented as follows (July 29, 2016):

"This department has no objections to the applicant's request to permit the continuation of a restaurant use on the subject property as previously approved under Application 'A' 214/09."

The Region of Peel, Public Works, Development Services Division commented as follows (July 22, 2016):

"We have no comments or objections."

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Carone 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:	S. Patrizio	SECONDED BY:	D. George	CARRIED
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MISSISSAUGA

File: "A" 327/16
WARD 7

Application Approved.

Dated at the City of Mississauga on August 11, 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 **AUGUST 31, 2016**.

Date of mailing is August 15, 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 August 11, 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

CHRISTOS TSIAGKIRIS

on Thursday, August 4, 2016

Christos Tsiagkiris is the owner of 235 Lakeshore Road East being Part of Lot 122, Plan H-21, zoned C4, Commercial. The applicant requests the Committee to authorize a minor variance to continue to permit the operation of a take-out restaurant within the subject property, as previously approved pursuant to Committee of Adjustment Decision File 'A' 125/12, proposing:

1. a take-out restaurant being located within 60.00 m (196.85 ft.) from a Residential zone; whereas By-law 0225-2007, as amended, requires a minimum 60.00 m (196.85 ft.) separation distance from a take-out restaurant to a Residential zone in this instance;
2. no additional parking spaces for the take-out restaurant use; whereas By-law 0225-2007, as amended, requires a minimum of six (6) parking spaces for the take-out restaurant use in this instance; and,
3. to permit three (3) existing parking spaces to remain for the three Residential units on the second floor having a width of 2.54 m (8.33 ft.) and length of 4.37 m (14.33 ft.) with no aisle provided; whereas By-law 0225-2007, as amended, requires a parking space to have a minimum width of 2.60 m (8.50 ft.) and length of 5.20 m (17.06 ft.) and requires a minimum aisle of 7.00 m (22.96 ft.) in this instance.

Mr. W. Oughtred, of W.E. Oughtred & Associates Inc., authorized agent, attended and presented the application to continue to permit the operation of a restaurant. Mr. Oughtred advised that the restaurant, known as "Bagel House", will continue to operate in the same manner as previously approved.

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

The City of Mississauga Planning and Building Department commented as follows (July 29, 2016):

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 (Commercial)

Other Applications:

Certificate of Occupancy File: 11-6899

Comments

Zoning

N/A

Planning

The requested variance is a continuation of a previous Committee approval for file A 125/12. We do not have any recorded concerns with the existing take out restaurant on file since the previous variance approval. The Bagel House is predominantly accessed by people on foot and the continuation of this variance with no additional parking should not be problematic for the business or the neighbourhood.

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

The City of Mississauga Transportation and Works Department commented as follows (July 29, 2016):

"This Department has no objections, comments or requirements with respect to C.A. 'A' 328/16."

The Region of Peel, Public Works, Development Services Division commented as follows (July 22, 2016):

"We have no comments or objections."

No other persons expressed any interest in the application.

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

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

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

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

MOVED BY:	P. Quinn	SECONDED BY:	J. Page	CARRIED
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MISSISSAUGA

File: "A" 328/16
WARD 1

Application Approved.

Dated at the City of Mississauga on August 11, 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 **AUGUST 31, 2016**.

Date of mailing is August 15, 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 August 11, 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

MICHAEL & MARIANA TAYLOR

on Thursday, August 4, 2016

Michael & Mariana Taylor are the owners of 390 Revus Avenue being Part of Lot 70, Plan F-20, zoned R3-75, Residential. The applicants request the Committee to authorize a minor variance to permit the construction of an addition to the existing dwelling proposing a front yard of 1.02m (3.34ft.) to the porch/stairs; whereas By-law 0225-2007, as amended, requires a minimum front yard of 5.90m (19.35ft.) to the porch/stairs in this instance.

Mr. W. Oughtred, of W.E. Oughtred & Associates Inc., authorized agent, attended and presented the application. Mr. Oughtred advised that a previous application (Reference "A" 442/15) was approved for the subject property. He explained that a building permit application was submitted for review and an additional item of non-compliance was identified.

Mr. Oughtred advised that when the original Minor Variance application was submitted, the Building Department assumed that the front porch existed and was legal non-conforming. A building permit was submitted and it was discovered that the porch was constructed without a building permit and an Order to Comply was issued for the porch. The porch and stairs are considered to be new construction and a variance to the porch stairs is required.

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

The City of Mississauga Planning and Building Department commented as follows (July 29, 2016):

"Recommendation

The Planning and Building Department recommends that the application be deferred to allow the applicant to redesign the front porch structure to address staff concerns.

Background

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-75 (Residential)

Other Applications:

Building Permit File: BP9 ALT 16-563

Comments

Zoning

The Building Department is currently processing a Building Permit application and based on the review of the information currently available for this application, we advise that the variance should be amended as follows:

"Insufficient front yard setback to the proposed porch inclusive of stairs. A minimum setback of 1.02 m (3.45 ft.) to the porch, inclusive of stairs, is proposed; whereas By-law 0225-2007, as amended, requires a minimum setback of 5.90 m (19.36 ft.) to the proposed porch inclusive of stairs, in this instance;"

Planning

The subject property is a relatively small and shallow lot that has some challenges in meeting Zoning By-law requirements. The Committee previously heard and approved an application on October 29, 2015 under file A 442/15 that allowed for by-law relief for the front yard setbacks, among other items. As a result of the reduced front yard setback to the dwelling, any porch in the front yard will also require a significant reduction.

The majority of the dwellings along this portion of Revus, on both sides of the road, are situated close to the front lot lines with setbacks that do not meet Zoning By-law requirements. The City boulevard is generous in width and unlikely to be modified in the near future, which helps provide added separation distance from the street. Given the context of the street, this Department would not have concerns in principle with some reduced setback to the porch; however, the current proposal has a significant mass close to the street along the top of the covered porch and should be reduced to limit the impact to the streetscape.

Based on the preceding information, the Planning and Building Department recommends that the applicant defer the application to redesign the covered porch structure to limit the massing given the proximity to the street."

The City of Mississauga Transportation and Works Department commented as follows (July 29, 2016):

"We are noting for information purposes that any Transportation and Works Department requirements for the proposed addition will be addressed at the time of the Building Permit Process."

The Region of Peel, Public Works, Development Services Division commented as follows (July 22, 2016):

"We have no comments or objections."

No other persons expressed any interest in the application.

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

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

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



MISSISSAUGA

File: "A" 329/16
WARD 1

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of an addition to the existing dwelling proposing a front yard setback of 1.02 m (3.45 ft.) to the porch, inclusive of stairs; whereas By-law 0225-2007, as amended, requires a minimum setback of 5.90 m (19.36 ft.) to the proposed porch inclusive of stairs, in this instance

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

Dated at the City of Mississauga on August 11, 2016.

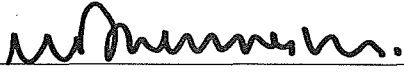
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **AUGUST 31, 2016.**

Date of mailing is August 15, 2016.

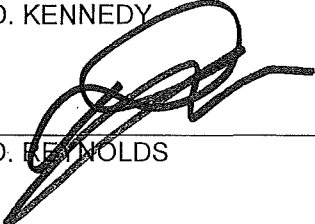

S. PATRIZIO

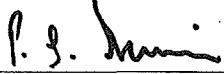

D. GEORGE


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 August 11, 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

2515878 ONTARIO INC.

on Thursday, August 4, 2016

2515878 Ontario Inc. is the owner of 2375 Lucknow Drive being Part of Lot 11, Concession 5, E.H.S., zoned E2, Employment. The applicant requests the Committee to authorize a minor variance to permit a Motor Vehicle Repair & Body Repair Facility - Commercial, accessory to the existing Transportation Facility; whereas By-law 0225-2007, as amended, makes no provision for a Motor Vehicle Repair Facility - Commercial or a Motor Vehicle Body Repair Facility - Commercial in this instance.

Mr. W. Oughtred, of W.E. Oughtred & Associates, authorized agent, attended and presented the application to permit a vehicle body and repair facility on the subject property. Mr. Oughtred advised that the subject property was previously zoned M3 and the use was permitted. He indicated that, as the property has been rezoned to E2, Employment, a variance is now required to permit the use.

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

The City of Mississauga Planning and Building Department commented as follows (July 29, 2016):

Recommendation

The Planning and Building Department has no objection to the application.

Background

Mississauga Official Plan

Character Area: Northeast Employment Area West
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2

Other Applications:

Comments



Zoning

We note 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(s) or determine whether additional variance(s) may be required. It should be noted that the variance(s), as requested, have been reviewed based on information provided, however a full zoning review has not been completed.

Planning

The application is proposing commercial motor vehicle repair as an accessory use to the existing transportation facility terminal on site. The application does not propose any changes to the building.

The site is located midblock within an area of manufacturing and industrial uses, as well as automotive facilities. The property is located within an industrial employment area with adjacent properties in the area also being designated as Employment lands. There are no residential areas or sensitive land uses adjacent to the subject property and in the opinion of Planning Staff there should be no impact on adjacent lands from the proposed variance.

The Planning and Building Department are of the opinion that the requested variances are minor in nature and maintain the general intent of the Official Plan and Zoning By-law; as a result we offer no objection to the requested variances

The City of Mississauga Transportation and Works Department commented as follows (July 29, 2016):

"Enclosed for Committee's easy reference are a number of photo's which depict the subject property."

The Region of Peel, Public Works, Development Services Division commented as follows (July 22, 2016):

"We have no comments or objections."

No other persons expressed any interest in the application.

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

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

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

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

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

Dated at the City of Mississauga on August 11, 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 **AUGUST 31, 2016**.

Date of mailing is August 15, 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 August 11, 2016.

DAVID L. MARTIN, SECRETARY-TREASURER

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

NOTES:

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- Further approvals from the City of Mississauga may be required i.e. a Building Permit, a Zoning Certificate, a License, etc.