

COMMITTEE OF ADJUSTMENT  
AGENDA



Location: COUNCIL CHAMBER  
Hearing: AUGUST 11, 2016 AT 1:30 P.M.

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

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

B-055/16	1386311 ONTARIO INC	6450 NORTHAM DR	5	Approved
B-056/16	DIXIE CROSSINGS INC	5077, 5083, 5089 & 5101 DIXIE RD	5	Approved
B-057/16	CANADIAN TIRE CORPORATION LIMITED	5067 DIXIE RD	5	Approved

**NEW APPLICATIONS - (MINOR VARIANCE)**

A-331/16	ANDRZEJ & BEATA WECEK	3170 COUNCIL RING RD	8	Approved
A-332/16	JUN YOU SUNG	1072 ENOLA AVE	1	Approved
A-333/16	PHAP VAN VIETNAMESE BUDDHIST CULTURAL CENTRE OF ONTARIO	420 TRADERS BLVD E	5	Approved
A-335/16	CARMELLO BONOVEN	899 GOODWIN RD	1	Sept. 22
A-336/16	AMIRALLI & SHEHENAZ MANJI	107 SWANHURST BLVD	11	Approved

**DEFERRED APPLICATIONS - (MINOR VARIANCE)**

A-227/16	MARIA FINELLI	2222 DOULTON DR	8	Sept. 29
A-257/16	DI SHEN	899 HAMPTON CRES	1	Sept. 15
A-259/16	SYED WAQAR ALI / NASEEM SULTANA	4776 LIGHTHOUSE CRT	4	Approved
A-260/16	SHARON BOGART	918 GOODWIN RD	1	Sept. 8
A-268/16	RONGGUO LIU	1485 MERROW RD	2	Approved
A-271/16	ZSOLT SZABO	1394 HAIG BLVD	1	Approved
A-272/16	STEVEN SUNJKA, ELIZABETH SAJKO	1402 HAIG BLVD	1	Approved
A-274/16	ANGELO & ANNA RAITISINIS	28 THEODORE DR	11	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

1386311 ONTARIO INC.

on Thursday, August 11, 2016

1386311 Ontario Inc. is the owner of 6450 Northam Drive being Part of Lot 8, Concession 7 EHS, zoned E3, Employment. The applicant requests the consent of the Committee to the creation of a new lot on a parcel of land having a frontage of approximately 44.90m (147.30ft.) and having an area of approximately 0.48 ha (1.21 acres). The effect of the application is to create a new lot for employment purposes.

Mr. R. Grittani, of RG Consulting Inc., authorized agent, attended and presented the application. Mr. Grittani presented a site plan for the Committee's review and consideration indicating that approval is being requested to obtain consent for a parcel of land that was the subject of a previous Consent application in 1973. Mr. Grittani explained that the parcel (Part 2, on 43R-850) was conveyed and was to be attached to the adjacent lands. The lands were not attached to the adjoining parcel. As the transfer did not occur within the required time limits, the Consent Decision lapsed and it is not sufficient to mortgage or transfer the parcel.

Mr. Grittani advised that they have received a Purchase and Sale Agreement for the subject lands. In order to solidify the Agreement, a new Consent application has been submitted. Mr. Grittani indicated that the proposed severance supports the Official Plan and Zoning By-law requirements and it will continue to provide for existing and future Employment opportunities.

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 (August 5, 2016),  
City of Mississauga, Transportation and Works Department (August 4, 2016),  
City of Mississauga, Community Services Department (August 9, 2016),  
Region of Peel, Public Works, Development Services Division (August 5, 2016)

No other persons expressed any interest in the application.

When asked, Mr. Grittani 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. Grittani, 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 August 4, 2016.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated August 9, 2016.

MOVED BY: P. Quinn

SECONDED BY: J. Robinson

CARRIED

Application Approved, on conditions as stated.

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

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **SEPTEMBER 11, 2016**.

Date of mailing is August 22, 2016.

ABSENT

S. PATRIZIO

  
D. GEORGE (CHAIR)

  
J. ROBINSON

  
D. KENNEDY

  
J. PAGE

  
D. REYNOLDS

  
P. QUINN

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

  
DAVID L. MARTIN, SECRETARY-TREASURER

**NOTES:**

The decision to give provisional consent shall be deemed to be refused if the conditions of provisional consent, have not been fulfilled on or before **August 22, 2017**.

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

## COMMITTEE OF ADJUSTMENT

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

DIXIE CROSSINGS INC.

on Thursday, August 11, 2016

Dixie Crossings Inc. is the owner of 5077, 5083, 5089 and 5101 Dixie Road being Part of Lot 1, Concession 4, EHS, zoned C3-1, Commercial. The applicant requests the consent of the Committee to the creation of reciprocal vehicular access and driveway easements/ rights of ways on the subject lands. The effect of the application is to create a new vehicular easements/rights of ways in favour of the lands to the south at 5067 Dixie Road.

Mr. M. Bradley, attended and presented the application. Mr. Bradley presented a site plan for the Committee's review and consideration indicating that approval is being requested to allow reciprocal right-of-way easements in excess of 21 years.

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 (August 5, 2016),  
City of Mississauga, Transportation and Works Department (August 4, 2016),  
Region of Peel, Public Works, Development Services Division (August 5, 2016)

No other persons expressed any interest in the application.

When asked, Mr. Bradley 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. Bradley, the comments received, and the recommended conditions, is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the municipality.

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the "severed" land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no additional services easement(s) and/or right(s)-of-way, are necessary.

3. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated August 4, 2016.

MOVED BY: J. Robinson

SECONDED BY: J. Page

CARRIED

Application Approved, on conditions as stated.


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

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **SEPTEMBER 11, 2016**.

Date of mailing is August 22, 2016.

ABSENT

S. PATRIZIO

  
D. GEORGE (CHAIR)

  
J. ROBINSON

  
D. KENNEDY

  
J. PAGE

  
D. REYNOLDS

  
P. QUINN

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

  
DAVID L. MARTIN, SECRETARY-TREASURER

**NOTES:**

The decision to give provisional consent shall be deemed to be refused if the conditions of provisional consent, have not been fulfilled on or before **August 22, 2017**.

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

## COMMITTEE OF ADJUSTMENT

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

on Thursday, August 11, 2016

Canadian Tire Corporation Limited is the owner of 5067 Dixie Road being Part of Lot 1, Concession 4, EHS, zoned C3-33, Commercial. The applicant requests the consent of the Committee to the creation of reciprocal vehicular access and driveway easements/ rights of ways on the subject lands. The effect of the application is to create a new easements/rights of ways in favour of the lands to the north at 5077, 5083, 5089 and 5101 Dixie Road.

Mr. M. Bradley, attended and presented the application. Mr. Bradley presented a site plan for the Committee's review and consideration indicating that approval is being requested to allow reciprocal right-of-way easements in excess of 21 years.

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 (August 5, 2016),  
City of Mississauga, Transportation and Works Department (August 4, 2016),  
Region of Peel, Public Works, Development Services Division (August 5, 2016)

No other persons expressed any interest in the application.

When asked, Mr. Bradley 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. Bradley, the comments received, and the recommended conditions, is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the municipality.

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the "severed" land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no additional services easement(s) and/or right(s)-of-way, are necessary.

3. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated August 4, 2016.

MOVED BY: J. Robinson

SECONDED BY: J. Page

CARRIED

Application Approved, on conditions as stated.

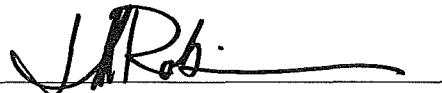
Dated at the City of Mississauga on August 18, 2016.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **SEPTEMBER 11, 2016**.

Date of mailing is August 22, 2016.

ABSENT

S. PATRIZIO



J. ROBINSON



J. PAGE



P. QUINN



D. GEORGE (CHAIR)

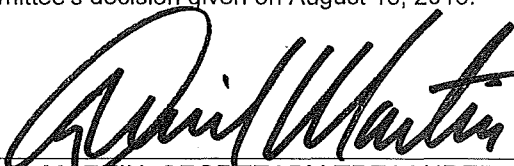


D. KENNEDY



D. REYNOLDS

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

  
DAVID L. MARTIN, SECRETARY-TREASURER

**NOTES:**

The decision to give provisional consent shall be deemed to be refused if the conditions of provisional consent, have not been fulfilled on or before **August 22, 2017**.

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



## COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 45(1) OR (2)  
of The Planning Act R.S.O. 1990, c.P.13, as amended

- and -

IN THE MATTER OF ZONING BY-LAW 0225-2007  
as amended

- and -

IN THE MATTER OF AN APPLICATION BY

ANDRZEJ & BEATA WECEK

on Thursday, August 11, 2016

Andrzej & Beata Wecek are the owners of 3170 Council Ring Road being Lot 342, Registered Plan 961, zoned R3, Residential. The applicants request the Committee to authorize a minor variance to permit the construction of a second storey addition on the existing dwelling proposing side yards to the second storey addition of 1.25m (4.10ft.) and 1.24m (4.06ft.) respectively; whereas By-law 0225-2007, as amended, requires minimum 1.81m (5.93ft.) side yards to the second storey addition in this instance.

Ms. M. Kulesza, of Elan Design Studio Inc., authorized agent, attended and presented the application to permit the construction of an addition to the existing dwelling utilizing the same side yard setbacks as the existing dwelling. Ms. Kulesza advised that the construction drawings have not been fully prepared as the homeowner wanted to ensure that the reduced setback would be approved prior to investing the funds to have the drawings completed. Ms. Kulesza presented elevation sketches of the streetscape for the Committee's review and consideration. She advised that no further variances will be request as the remainder of the dwelling will be designed in accordance with the Zoning By-law.

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

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

### "Recommendation

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

### Background

#### Mississauga Official Plan

Character Area: Erin Mills Neighbourhood  
Designation: Residential Low Density I

#### Zoning By-law 0225-2007

Zoning: R3 (Residential)

#### Other Applications:

Building Permit File: Required

## Comments

### Zoning

A Building Permit application is required and in the absence of a Building Permit application we are unable to confirm the accuracy of the requested variance, or determine whether additional variances may be required. The variance, as requested, has been reviewed based on the information provided, however a full zoning review has not been completed.

### Planning

The applicant is seeking to construct a second storey addition on the same building footprint as the existing home and maintaining the existing setbacks. The neighbourhood is comprised of a mix of bungalows, split storey dwellings, and two storey dwellings. Minimum side yard setbacks for single storey dwellings and two storey dwellings are characteristic of the neighbourhood and the applicant's proposal to maintain the existing setback at the second storey is consistent with the general character of the area. There are no alterations proposed to the main floor of the dwelling and access to the rear yard is maintained.

Based on the preceding information, the Planning and Building Department is of the opinion that the variance request is minor in nature and we have no objection to the request; however, the applicant may wish to defer the application to apply for the required Building Permit application to verify the accuracy of the requested variances and to determine whether any additional variances will be required."

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

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

The Region of Peel, Public Works, Development Services Division commented as follows (August 4, 2016):

"We have no comments or objections."

An e-mail was received from the Ministry of Transportation indicating the site is outside of the Ministry's permit control area and subsequently they have no concerns or comments and permits are not required.

A letter was received from X. Meng, property owner at 3176 Council Ring Road, expressing concerns with respect noise, garbage and possibility of damages and inquiring when the construction will occur.

No other persons expressed any interest in the application.

Ms. Kulesza, upon hearing the comments of the Committee, advised that they will start construction as soon as they obtain a building permit.

The Committee, after considering the submissions put forward by Ms. Kulesza 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.



## MISSISSAUGA

File: "A" 331/16

WARD 8

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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Application Approved.

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

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **SEPTEMBER 7, 2016**.

Date of mailing is August 22, 2016.

ABSENT

S. PATRIZIO

J. ROBINSON

J. PAGE

P. QUINN

D. GEORGE (CHAIR)

D. KENNEDY

D. REYNOLDS

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

DAVID L. MARTIN, SECRETARY-TREASURER

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

**NOTES:**

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

## COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 45(1) OR (2)  
of The Planning Act R.S.O. 1990, c.P.13, as amended

- and -

IN THE MATTER OF ZONING BY-LAW 0225-2007  
as amended

- and -

IN THE MATTER OF AN APPLICATION BY

JUN YOU SUNG

on Thursday, August 11, 2016

Jun You Sung is the owner of 1072 Enola Avenue being Lot 20, Registered Plan F-20, zoned R3-75, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new detached garage on the subject property proposing:

1. a total lot coverage of 42.15% of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% of the lot area in this instance; and,
2. to permit the existing driveway to remain having a width of 6.35m (20.83ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.44m (14.56ft.) in this instance.

Mr. D. Lee, authorized agent, attended and presented the application to permit the construction of a new detached garage on the subject property proposing an increase in lot coverage. Mr. Lee advised that a previous application was recently considered by the Committee for a different proposal in May. He further advised that the Committee previously approved an increase in lot coverage in 2011 to 40.70% of the lot area. He requested that the lot coverage be further increased.

Mr. Lee indicated that they propose to remove the existing shed and construct a new garage in the same general location. Mr. Lee presented plans for the Committee's review and consideration. Mr. Lee advised that in order to construct the garage, a variance is required to increase the lot coverage from 35.00% of the lot area to 42.15% of the lot area. He indicated that the removal of the shed and construction of a new garage will improve the property.

Mr. Lee indicated that an additional variance is required for the width of the driveway. He advised that the maximum permitted driveway width is the width of the garage plus 2.00m (6.56ft.), which is 4.44m (14.56ft.) in this instance. Mr. Lee indicated that they are requesting a wider driveway width to allow for easier snow removal in the winter.

Mr. Lee presented photographs of other driveways in the neighbourhood and advised that the existing driveways exceed the maximum permitted Zoning By-law widths. He indicated that the requested driveway width is reasonable and in character with the other driveway widths that exist in the neighbourhood.

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

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

**"Recommendation**

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

**Background**

**Mississauga Official Plan**

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density II

**Zoning By-law 0225-2007**

**Zoning:** R3-75 (Residential)

**Other Applications:**

Pre-Zoning Review Application File: PREAPP 15-8510

**Comments**

**Zoning**

The Planning and Building Department is currently processing a Building Permit application and based on the review of the information currently available, the variances are correct, as requested.

**Planning**

The applicant was previously before the Committee on May 19, 2016 with a number of variance requests, including lot coverage and driveway width variances which were both refused by the Committee. The applicant has modified their proposal since the previous hearing to reduce both the requested lot coverage and the width of the driveway.

The Committee previously approved a lot coverage variance of 40.70% on February 10, 2011, which was required to facilitate the construction of a covered porch. The additional lot coverage request is required in order to replace the existing accessory structure with a garage structure. The garage structure will be slightly larger than the existing accessory structure; however it will be located in the same general location and should not have significant impact beyond what the current accessory structure has. The additional lot coverage beyond what is currently permitted is minor in nature.

The variance request for a driveway width of 6.35 m (20.83 ft.) is a minor reduction from what was previously requested at 6.91 m (22.67 ft.). The primary concern of staff during the previous application was that the conditions on site did not match the variance request and that the entire front yard was hard surface area. Provided that the applicant reduces the driveway in accordance with the requested variance and provided plans, the Department is of the opinion that 6.35 m (20.83 ft.) is an appropriate request. The lot frontage is 17.63 m (57.84 ft.), which would allow for a landscaped area and driveway that are proportional.

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

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

"This department has no objections to the applicant's request regarding the existing detached garage and existing driveway. As evident from the photos showing the front of the property, the owner has significantly reduced the hard surface area in the front yard and replaced it with sod and landscaping."

The Region of Peel, Public Works, Development Services Division commented as follows (August 5, 2016):

No other persons expressed any interest in the application.

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

1. The applicant is to proceed in accordance with the plans reviewed by the Committee.

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

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

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **SEPTEMBER 7, 2016**.

Date of mailing is August 22, 2016.

ABSENT

S. PATRIZIO

D. GEORGE (CHAIR)

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

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

DAVID L. MARTIN, SECRETARY-TREASURER

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

**NOTES:**

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

## COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 45(1) OR (2)  
of The Planning Act R.S.O. 1990, c.P.13, as amended

- and -

IN THE MATTER OF ZONING BY-LAW 0225-2007  
as amended

- and -

IN THE MATTER OF AN APPLICATION BY

PHAP VAN VIETNAMESE BUDDIST CULTURAL CENTRE OF ONTARIO

on Thursday, August 11, 2016

Phap Van Vietnamese Buddhist Cultural Centre of Ontario is the owner of 420 Traders Boulevard East being Part of Block 4, Registered Plan M-453, zoned E2, Employment. The applicant requests the Committee to authorize a minor variance to permit the construction of Memorial Walls adjacent to the Memorial Tower associated with the existing place of religious assembly on the subject property proposing:

1. a rear yard of 4.50m (14.76ft.); whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (24.60ft.) in this instance; and,
2. an interior side yard of 3.00m (9.84ft.); whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 4.50m (14.76ft.) in this instance.

Mr. W. Koszta, of Stingray Architects Inc., authorized agent, attended and presented the application to construct Memorial Walls proposing reduced rear and side yard setbacks. Mr. Koszta presented plans for the Committee's review and consideration. He indicated that if the setbacks are adhered to, the Memorial Wall would be too close to the Memorial Tower.

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

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

### "Recommendation

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

### Background

#### Mississauga Official Plan

Character Area: Gateway Employment Area East  
Designation: Business Employment

#### Zoning By-law 0225-2007

Zoning: E2

#### Other Applications:

#### Comments



## **Zoning**

The Building Department is currently processing a building permit application under file 16-1570. Based on review of the information currently available for this building permit, we advise that based on the information provided variance request #2 is not required.

## **Planning**

The application is proposing a small addition of decorative memorial walls surrounding the existing memorial tower.

The subject site is a place of religious assembly and Buddhist cultural centre established in 1999. The site is L shaped, with the existing place of religious assembly building occupying the corner of Traders Boulevard East and Kennedy Road. At the rear and most internal to the site, is an existing memorial tower. Adjacent to the memorial tower is parking on site. The immediate neighbouring properties have parking, and landscaped areas adjacent to this memorial tower.

The application is proposing three freestanding granite-clad memorial walls. The relief being sought is a reduced setback to the rear yard. The application does not remove any parking spaces. Currently there are accessory structures along the property line that will be removed. In the opinion of Staff, the application will have no additional impact to the neighbouring properties, and is deemed minor.

The Planning and Building Department has no objection to the application, as amended."

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

"This Department has no objections, comments or requirements with respect to C.A. 'A' 333/16."

The Region of Peel, Public Works, Development Services Division commented as follows (August 5, 2016):

"We have no comments or objections."

An e-mail was received from the Ministry of Transportation indicating the site is outside of the Ministry's permit control area and subsequently they have no concerns or comments and permits are not required.

No other persons expressed any interest in the application.

Mr. Koszta, upon hearing the comments of the Committee and the Planning and Building Department, requested that the application be considered as presented. He indicated that the building permit drawings are not up-to-date.

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

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

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

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

MOVED BY:	P. Quinn	SECONDED BY:	J. Page	CARRIED
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Application Approved.

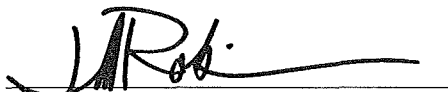
Dated at the City of Mississauga on August 18, 2016.

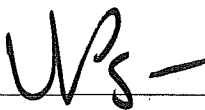
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **SEPTEMBER 7, 2016**.

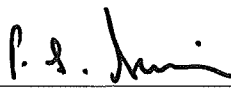
Date of mailing is August 22, 2016.

ABSENT

S. PATRIZIO

  
J. ROBINSON

  
J. PAGE


  
P. QUINN

D. GEORGE (CHAIR)

D. KENNEDY

D. REYNOLDS

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

  
DAVID L. MARTIN, SECRETARY-TREASURER

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

**NOTES:**

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

## COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 45(1) OR (2)  
of The Planning Act R.S.O. 1990, c.P.13, as amended

- and -

IN THE MATTER OF ZONING BY-LAW 0225-2007  
as amended

- and -

IN THE MATTER OF AN APPLICATION BY

AMIRALLI & SHEHENAZ MANJI

on Thursday, August 11, 2016

Amiralli & Shehenaz Manji are the owners of 107 Swanhurst Boulevard being Lot 117, Registered Plan 548, zoned R2-50, Residential. The applicants request the Committee to authorize a minor variance to permit the construction of a new one storey addition to the rear of the existing dwelling proposing:

1. a total lot coverage of 34.13% of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% of the lot area in this instance; and,
2. a dwelling depth of 21.82m (71.58ft.); whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (65.61ft.) in this instance.

Mr. D. Brown, of David Small Designs, authorized agent, attended and presented the application. Mr. Brown indicated that a recent Minor Variance application was considered and approved by the Committee to allow an increase in lot coverage. A building permit application was submitted and through the review, it was determined that because the eaves of the existing dwelling are greater than 0.45m (18 inches), they must be included in the lot coverage figure. Mr. Brown presented a plan and illustrated the areas where the eaves project from 0.60m to 0.63m (2.00ft. to 2.08ft.).

Mr. Brown assured the Committee that the plans are identical to the ones that they approved Minor Variance application "A" 123/16. The only difference is that the site statistics have changed to reflect the increased lot coverage. The lot coverage figure is now 34.13% of the lot area. Mr. Brown indicated that the dwelling depth request remains unchanged.

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

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

### "Recommendation

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

### Background

#### Mississauga Official Plan

Character Area: Streetsville Neighbourhood  
Designation: Low Density I



## MISSISSAUGA

File: "A" 336/16  
WARD 11

### Zoning By-law 0225-2007

**Zoning:** R2-50

### Other Applications:

BP 9ALT 16/1836

### Comments

#### Zoning

The Building Department is currently processing a building permit application under file 16-1836. Based on review of the information currently available for this building permit, 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.

It appears that an additional variance for excessive driveway width is required. Staff recommends the following variance:

A driveway width of 6.00m (19.69ft); whereas By-law 0225-2207, as amended, permits a maximum of 4.57m (14.99 ft) in this instance.

#### Planning

A similar application without a Building Permit Application was heard at the April 21, 2016 agenda. The application was approved by the committee.

During the Building Permit process Staff recalculated the lot coverage based on new information provided, which resulted in a new variance application. The proposed dwelling has not changed from the previous application, however the total lot coverage calculation has been updated to reflect the existing projecting eaves. The proposal is a one storey addition and an elevation upgrade to an existing bungalow. The dwelling will remain as one storey. The proposed dwelling depth variance is for part of the dwelling, offset from the rest of the house, and appropriately setback from the rear and side lot line. The application upgrades and improves an existing bungalow, while maintaining the character of the street. In the opinion of Staff, the proposal is minor and desirable.

Zoning has advised that more information is necessary to verify the requested variances; however, if the applicant wishes to proceed, Planning has noted an additional variance is required for the existing driveway condition. We suggest the following:

a setback of 0.00m from the existing driveway to the side property line; whereas By-law 0225-2007, as amended, requires a minimum setback of 0.60m (2.00ft) from the driveway to the side property line in this instance.

The existing driveway setback is a shared condition with the immediate neighbour. A 0.00m driveway setback to the side property line is only for portions of the driveway, while large trees provide a strong natural and physical separation.

The proposed driveway size is well within the scale appropriate for this 21.34m (70.01 ft) lot. In the opinion of the Planning and Building Department, the requested driveway variances are minor.

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

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

"We are noting for information purpose that any Transportation and Works Department concerns/requirements for the proposed one storey addition to the rear of the existing dwelling will be addressed at the time of the Building Permit process."

The Region of Peel, Public Works, Development Services Division commented as follows (August 5, 2016):

"We have no comments or objections."

An e-mail was received from the Ministry of Transportation indicating the site is outside of the Ministry's permit control area and subsequently they have no concerns or comments and permits are not required.

An e-mail was received from R. Rayes, property owner at 44 Suburban Drive, expressing his concerns with respect to loss of privacy and expressing that the application, if approved, could set a precedent.

E-mails were received from E. and B. Briere, property owners at 46 Suburban Drive, expressing their concerns that increasing the lot coverage might create larger footprints that are not in fitting with the neighbourhood.

No other persons expressed any interest in the application.

Mr. Brown, upon hearing the comments of the Committee and the Planning and Building Department, requested that the application be considered as presented. He advised that the plans have been amended to show compliance with the driveway width requirements.

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

1. The applicant is to proceed in accordance with the site plan reviewed by the Committee.

MOVED BY:	J. Robinson	SECONDED BY:	J. Page	CARRIED
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Application Approved, temporarily, on conditions as stated.


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

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **SEPTEMBER 7, 2016**.


Date of mailing is August 22, 2016.

ABSENT

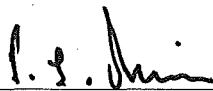
S. PATRIZIO



J. ROBINSON

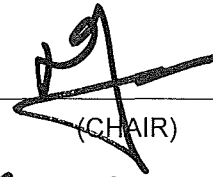


J. PAGE



P. QUINN

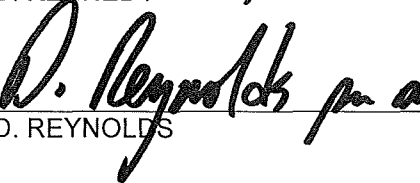
D. GEORGE



(CHAIR)

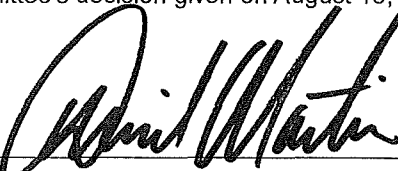


D. KENNEDY



D. REYNOLDS

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



DAVID L. MARTIN, SECRETARY-TREASURER

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

**NOTES:**

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

## COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 45(1) OR (2)  
of The Planning Act R.S.O. 1990, c.P.13, as amended

- and -

IN THE MATTER OF ZONING BY-LAW 0225-2007  
as amended

- and -

IN THE MATTER OF AN APPLICATION BY

SYED WAQAR ALI & NASEEM SULTANA

on Thursday, August 11, 2016

Syed Waqar Ali & Naseem Sultana are the owners of 4776 Lighthouse Court being Lot 116, Registered Plan M-1693, zoned R4, Residential. The applicant requests the Committee to authorize a minor variance to permit the existing driveway to remain having:

1. a driveway width of 9.20m (30.18ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (19.68ft.) in this instance;
2. a walkway attachment to the driveway of 3.00m (9.84ft.); whereas By-law 0225-2007, as amended, permits a maximum walkway attachment to the driveway of 1.50m (4.92ft.) in this instance.

On June 23, 2016, Mr. S. Waqar, son of the property owners, attended and presented the application to permit the existing driveway to remain. He advised that they have obtained letters expressing support for the application. Mr. Waqar indicated that there are walkways on both sides of the driveway. He advised that the curb cut has not been expanded.

Mr. Waqar advised that the additional area is utilized to make it easier for family members to get in and out of their vehicles. He advised that his brother requires the use of a walker or wheelchair and the extra space on the driveway makes it easier for him to get in and out of the vehicle. Mr. Waqar indicated that they park one vehicle in the garage, three vehicles in the driveway and two additional vehicles behind them. He advised that there is a closet in the garage that prohibits them from using a portion of the garage for parking purposes.

Mr. Waqar indicated that there are many other homes in the neighbourhood that have extended their driveways.

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

The City of Mississauga Planning and Building Department commented as follows (June 17, 2016):

### "Recommendation

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

### Background

#### Mississauga Official Plan

Character Area: Hurontario Neighbourhood  
Designation: Residential Low Density II

**Zoning By-law 0225-2007**

**Zoning:** R4

**Other Applications:**

**Comments**

**Zoning**

We note that a building permit is not required in this instance. It should be noted that the variance(s), 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(s) or determine whether additional variance(s) may be required.

**Planning**

The driveway width requested is not accurately identified. As indicated on the site plan, the request should be amended:

to permit a driveway width of 9.40 m (30.84ft); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (19.68ft) in this instance

The driveway width and configuration provides excessive hard surface, and space for three vehicles to be parked across the front of the dwelling, which is not desirable or meeting the intent of Zoning By-law. The Zoning By-law intends that the width of driveways be limited to provide space for two vehicles to park side by side.

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

The City of Mississauga Transportation and Works Department commented as follows (June 16, 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, Environment, Transportation and Planning Services commented as follows (June 16, 2016):

"We have no comments or objections."

A letter was received from the residents/property owners at 4776, 4772, 4780, and 4788 Lighthouse Court, 4333 Guildwood Way, and 4441 Ashley Avenue expressing support for the application.

No other persons expressed any interest in the application.

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

The Committee consented to the request. The Committee expressed concerns with respect to the width of the driveway and the ability to park three vehicles side by side on the driveway. They noted that the amount of hard surface area is excessive.



Mr. Waqar requested that the application be deferred to allow him an opportunity to address their concerns.

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

On August 11, 2016, Mr. S. Waqar, son of the property owners, attended and advised that the site plan has been revised to indicate a reduced driveway width. He indicated that the soft landscaped area variance is not required and the setback of the driveway to the side property line has been revised to show compliance.

Mr. Waqar presented a plan for the Committee's review and consideration. He indicated that a portion of the concrete will be removed and returned to sod. Mr. Waqar indicated that the driveway width is 7.20m wide; however the top portion of the driveway is wider because of the walkway attachments.

The Committee expressed concerns with respect to the area in front of the steps and the number of vehicles to be parked in the front yard.

Mr. Waqar indicated that the number of vehicles parked in the driveway will be reduced as his brother is unable to drive a vehicle and will be selling his. He indicated that the area in front of the steps will not be used for vehicle parking.

Mr. Waqar advised that a further revision was made to the site plan to reduce the requested driveway width at the top of the driveway to 8.87m (29.10ft.); however, this was received after the Notice was mailed out.

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

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

#### **"Recommendation**

The Planning and Building Department has no objection to the application, as indicated on the drawing.

#### **Background**

##### **Mississauga Official Plan**

Character Area: Hurontario Neighbourhood  
Designation: Residential Low Density II

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

**Zoning:** R4

##### **Other Applications:**

##### **Comments**

##### **Zoning**

We note that a building permit is not required in this instance. It should be noted that the variance(s), 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(s) or determine whether additional variance(s) may be required.

## Planning

The application was originally heard on the June 23rd, 2016 agenda. The applicant deferred the application and met with Planning and Transportation and Works Staff. The result is a revised driveway proposal.

Originally, the application requested three variances: driveway width, setback to property line, and soft area landscaping. The revised application reduces the overall size of the driveway and proposes a restoration of landscaped area landscaping, but requests two variances: driveway width and walkway attachment. The application also updated the dimension of the widest point to accurately request the variance. The new request is a wider dimension than previously requested, but it is only for the limited portion directly in front of the front porch and corresponds to the requested 3m walkways attachment.

The majority of the driveway, as indicated on the site plan, is 7.2m wide. Staff are satisfied the revisions in the context of this application. 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. In this instance, the proposed width and design of the driveway maintains this intent.

The Planning and Building Department has no objection to the application as indicated on the drawing."

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

"Further to our comments submitted for the June 23, 2016 hearing we are advising that city staff have met with the applicant to advise what modifications would be required to the existing driveway in order that we could support the request. The owner has provided a revised driveway plan to the Committee of Adjustment Office (stamped July 27, 2016) which has been circulated for our review along with the revised Notice of Public Hearing for our review.

In view of the above we are advising that this department has no objections to the proposed revisions and can support the modifications identified in the revised driveway plan stamped July 27, 2016 which specifies the area where the proposed landscape area will replace the existing concrete."

The Region of Peel, Public Works, Development Services Division commented as follows (August 5, 2016):

"We have no comments or objections."

No other persons expressed any interest in the application.

Mr. Waqar, 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. Waqar 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 they appreciate the applicant's efforts to address their concerns. They noted that the Transportation and Works Department and the Planning and Building Department do not object to the application. They noted that many of the neighbours are in support of the request.

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" 259/16  
WARD 4

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

Accordingly, the Committee resolves to authorize and grant the request as presented subject to the following condition:

1. The applicant is to proceed in accordance with the site plan reviewed by the Committee.

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

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

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **SEPTEMBER 7, 2016**.

Date of mailing is August 22, 2016.

ABSENT

S. PATRIZIO

J. ROBINSON

DISSENTED

J. PAGE

P. QUINN

D. GEORGE

(CHAIR)

D. KENNEDY

D. REYNOLDS

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

DAVID L. MARTIN, SECRETARY-TREASURER

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

### NOTES:

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

## COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 45(1) OR (2)  
of The Planning Act R.S.O. 1990, c.P.13, as amended

- and -

IN THE MATTER OF ZONING BY-LAW 0225-2007  
as amended

- and -

IN THE MATTER OF AN APPLICATION BY

RONGGUO LIU

on Thursday, August 11, 2016

Rongguo Liu is the owner of 1485 Merrow Road being Lot 112, Plan 574, zoned R2-4, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a two storey dwelling proposing:

1. a Gross Floor Area - Infill Residential of 444.64m<sup>2</sup> (4,786.12sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum Gross Floor Area - Infill Residential of 424.15m<sup>2</sup> (4,565.51sq.ft.) in this instance,
2. an accessory structure (free-standing fireplace) with a height of 3.87m (12.70ft.); whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (9.84ft.) for an accessory structure in this instance; and,
3. a driveway width of 6.40m (21.00ft.); whereas By-law 0225-2007, as amended permits a maximum driveway width of 6.00m (19.68ft.) in this instance.

On July 7, 2016, Mr. R. Chan, authorized agent, attended and requested that the application be deferred to allow him an opportunity to address the Planning & Building Department comments.

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

The City of Mississauga Planning and Building Department commented as follows (June 30, 2016):

### "Recommendation

The Planning and Building Department recommends that the applicant defer the application to file a Site Plan Approval application to redesign the dwelling to address staff concerns with excessive Gross Floor Area (GFA).

### Background

#### Mississauga Official Plan

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

#### Zoning By-law 0225-2007

Zoning: R2-4 (Residential)



An email was received from G. & E. Robinson of 1494 Elite Road expressing objection to the application. They indicated concern with the height of the proposed fireplace chimney and the risk of embers flying around and creating a fire hazard. They also expressed that the applicants should comply with the provisions of the Zoning By-law as other people in the neighbourhood have.

An agreement was signed by J. Donnelly of 1495 Merrow Road and G. Liu of 1485 Merrow Road noting that the Arborist Report for the subject property identified tree #23 which could be impacted by the construction of the proposed dwelling and that both parties agree to have the tree removed if needed and at the expense of Mr. Liu.

No other persons expressed any interest in the application.

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

On August 11, 2016, Mr. R. Chan, authorized agent, attended and advised that the plans have been revised to reduce the gross floor area of the dwelling. He indicated that the fireplace will be a gas fireplace, instead of a wood-burning fireplace. Mr. Chan indicated that the height of the fireplace and width of the driveway have been reduced.

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

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

#### **"Recommendation**

The Planning and Building Department has no objection to the requested variances; however, the applicant may wish to defer the application to apply for the required Building Permit and Site Plan Approval applications to verify the accuracy of the requested variances and to determine whether any additional variances will be required.

#### **Background**

##### **Mississauga Official Plan**

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

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

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

##### **Other Applications:**

Building Permit	File: Required
Site Plan Approval	File: Required

#### **Comments**

##### **Zoning**

A Building Permit application and a Site Plan Approval application are required and in the absence of either of these applications we are unable to confirm the accuracy of the requested variances or determine whether any additional variances will be required.

## Planning

The applicant was previously before the Committee on July 7, 2016 where the application was deferred to allow the applicant time to redesign the dwelling to address staff and Committee concerns with the excess Gross Floor Area (GFA). The applicant has significantly reduced the GFA of the proposal to a more appropriate scale for the neighbourhood. Further, the varying rooflines and reduced eave heights help to mitigate any potential impacts of increased massing that could be created by increase GFA. The requested increase in GFA of 20.49 m<sup>2</sup> (220.55 sq. ft.) is relatively minor given the permitted size of the dwelling and should not have a negative impact on the neighbourhood.

The Planning and Building Department continues to have no concerns with the accessory structure height or the driveway width. They both constitute modest increases beyond the Zoning By-law permissions and should not affect the character of the neighbourhood.

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

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

"This department has no objections to the applicant's request, including the third variance which has been added for the driveway width. We are also noting that any Transportation and Works Department concerns/requirements will be addressed at the time of the Building Permit Process."

The Region of Peel, Public Works, Development Services Division commented as follows (August 5, 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. Chan and having reviewed the plans, is satisfied that the request is desirable for the appropriate further development of the subject property.

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

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

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

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

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

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **SEPTEMBER 7, 2016**.

Date of mailing is August 22, 2016.

ABSENT

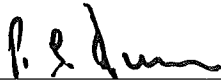
S. PATRIZIO



J. ROBINSON



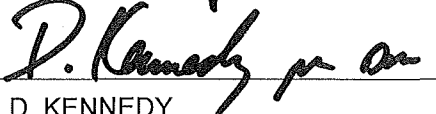
J. PAGE



P. QUINN

D. GEORGE

(CHAIR)



D. KENNEDY



D. REYNOLDS

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



DAVID L. MARTIN, SECRETARY-TREASURER

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

**NOTES:**

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



## COMMITTEE OF ADJUSTMENT

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

on Thursday, August 11, 2016

Zsolt Szabo is the owner of 1394 Haig Boulevard being Lot 4, Plan 348, zoned R3-75, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new detached garage in the rear yard proposing:

1. a garage floor area of 117.10m<sup>2</sup> (1,260.49sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum garage floor area of 75.00m<sup>2</sup> (807.31sq.ft.) in this instance;
2. a height of 6.45m (21.16ft.) for the detached garage; whereas By-law 0225-2007, as amended, permits a maximum height of 4.60m (15.09ft.) for a detached garage in this instance; and,
3. a north-westerly side yard of 0.60m (2.00ft.) to the detached garage; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) to the detached garage in this instance.

On July 7, 2016, Mr. D. Dunat, authorized agent, attended and requested that the application be deferred to allow time to address the Planning & Building Department comments.

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

The City of Mississauga Planning and Building Department commented as follows (June 30, 2016):

### "Recommendation

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

### 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: BP 9ALT 16-1015

## Comments

### Zoning

The Planning and Building Department is currently processing a Building Permit application and based on the review of the information currently available for this Building Permit, we advise that more information is required to verify the accuracy of the requested variances and to determine whether additional variances will be required.

It appears that an additional variances may be required for driveway width and an additional garage on the property.

### Planning

The requested variances for the construction of the garage are excessive in nature and not characteristic of a residential garage structure. The garage is 18.29 m (60.00 ft.) long, very close to the property line, and is significantly over the permitted Gross Floor Area (GFA) and height permissions of the Zoning By-law. The intent of the Zoning by-law GFA and height restrictions related to garages are to ensure that an accessory garage is appropriate in scale to the dwelling, in scale with the neighbourhood, and does not have a significant additional massing impact. The combined garage areas appear to be greater in lot coverage than that of the dwelling; whereas, residential garages should be subordinate to the dwelling.

Further, there is already an attached garage on the subject property, so a variance would be required for an additional garage structure. Given the size of the proposed new garage, the intent of the by-law in limiting the number of garage structures is not maintained. The driveway has also been widened specifically for the purpose of accessing the rear yard and proposed garage structure.

Based on the preceding information, the Planning and Building Department is of the opinion that the application should be refused on the grounds that the proposal is not minor and does not maintain the general intent of the Zoning By-law."

The City of Mississauga Transportation and Works Department commented as follows (June 30, 2016):

"The applicant is requesting to construct a new detached garage in the rear yard significantly larger than the by-law permits and also a reduction in the north-westerly side yard to 0.6M whereas 1.20M is required. Acknowledging that the Transportation and Works Department concerns/requirements can typically be addressed through the Building Permit Process; this section has some drainage related concerns which we feel should be addressed prior to the approval of this variance application.

Acknowledging the significant size of the rear yard this department does not see the rationale in reducing the setback to the garage from the required 1.20M to the requested 0.60M. With the construction of a detached garage in the rear yard and additional hard surface area which will be created by the driveway, the amount of drainage runoff will be significantly increased in the rear yard.

In view of the above and should Committee see merit in the applicant's request we would recommend that a condition of approval be that the owner obtain grading approval from our Development Construction Section to ensure that the proposed works will not have any drainage impact on the adjacent properties. We are also noting for the applicant's information that a grading security deposit may be required to ensure that the garage and driveway area will be constructed in accordance with any approved plan."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (July 4, 2016):

"The Region has no comments or objections."

An email was received from W. Costa of 1405 Applewood Road expressing interest in the application and concerned about how close the garage may be from his property line and the height of the garage.

Letters were received from J. DiCarlo, of 1412 Haig Blvd. expressing objection to the application. Mr. DiCarlo is concerned that these proposed oversized garages would be used for more than residential use. He indicated that the height and size of the buildings are not in character with the neighbourhood.

No other persons expressed any interest in the application.

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

On August 11, 2016, Mr. D. Dunat, authorized agent, attended and advised that he discussed the application further with Planning and Building Department staff and they have no objection 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 (August 10, 2016):

#### **"Recommendation**

The Planning and Building Department has no objection to the requested variances; however, the applicant may wish to defer the application to ensure that all variances have been correctly identified and that no additional variances will be required.

#### **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: BP 9ALT 16-1015

#### **Comments**

##### **Zoning**

The Planning and Building Department is currently processing a Building Permit application and based on the review of the application, we advise that more information is required to verify the accuracy of the requested variances or determine whether additional variances will be required. The updated drawings showing the conversion of the existing garage to living space have not been reviewed through the Building Permit process.

## Planning

The neighbourhood character and lot fabric along this section of Haig Boulevard is a unique situation in that the lots are very deep with varying dwelling and accessory structure locations, with other large garage structures existing throughout the neighbourhood. The Department would generally be hesitant to support increases in garage height and Gross Floor Area (GFA) similar to what is requested; however, the context of the applicant's proposal in conjunction with the proposal at 1402 Haig Boulevard is unique.

One of the intents of the Zoning By-law in restricting the GFA of a garage structure is to ensure that it is not disproportionately large relative to the lot and neighbouring lots. The lot depth of 98.94 m (324.61 ft.) and lot area of 2027 m<sup>2</sup> (21818.45 sq. ft.) allow for significant rear yard open space and building area. The R3-75 zoning permits a maximum lot coverage of 35%, whereas the applicant is proposing 19.6% including the proposed garage structure. The Department is of the opinion that the general intent of the Zoning By-law is maintained and the proposed garage structure is appropriately proportional to the lot.

The proposed height of 6.45 m (21.16 ft.) would be a concern if the structure were closer to southerly property line. The impact of the height of an accessory structure is much more pronounced as the proximity to the property line decreases. The separation distance between the garage and the property to the south is 13.67 m (44.85 ft.), which creates ample separation distance to mitigate a lot of the increased height impacts. Further, the height to the eaves is 3.00 m (9.84 ft.) so the top half of the structure does not have the same massing impact as the roof angles towards the middle. In this instance the proximity to the northerly lot line is not of concern given that the adjacent property at 1402 Haig Boulevard is currently subject to application A 272/16 which seeks to mirror this application to allow an identical garage to be constructed on that lot; the location of each of the proposed garages adjacent to each other will negate any impacts.

Similarly, the location of the proposed garage structures also means that the decreased setback of 0.60 m (1.97 ft.) does not create a negative impact on the adjacent property. A separation distance of 0.60 m (1.97 ft.) from a lot line still allows for adequate access to the side of the structure for things like basic maintenance and is appropriate in this instance.

Based on the preceding information, the Planning and Building Department is of the opinion that the requested variances are minor in nature and maintain the general intent of the Zoning By-law. As a result, we have no objection to the application; however, the applicant may wish to defer the application to ensure that all variances have been correctly identified and that no additional variances will be required."

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

"Further to our previous comments the Committee of Adjustment Office has recirculated a revised drawing for this property and advised that there are no changes to the originally requested variances. As we indicated in our previous comments the applicant is requesting to construct a new detached garage in the rear yard significantly larger than the by-law permits and also a reduction in the north-westerly side yard to 0.6M whereas 1.20M is required. Acknowledging the significant size of the rear yard this department does not see the rationale in reducing the setback to the garage from the required 1.20M to the requested 0.60M. With regards to any grading and drainage related concerns, this department's requirements can and will be addressed through the Building Permit Process."

The Region of Peel, Public Works, Development Services Division commented as follows (August 5, 2016):

"We have no comments or objections."

A letter was received from D. Blyleven, property owner at 1389 Haig Boulevard, expressing no objection to the application noting that the vehicles and trailers that are displayed on the driveway will now be stored within the garage and thereby enhances the streetscape.

A letter was received from J. Di Carlo, property owner at 1412 Haig Boulevard, expressing objection to the application and noting his concerns with respect to proposed use of the structure, increased traffic, potential for fire to spread due to the close distance of the structure to the adjoining structure on the adjacent lot, reduction in sunlight, and possibility of a decrease in property value.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Dunat 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 lot is large and there is no adverse impact to the neighbours as the subject structure abuts another garage structure on the adjoining lot.

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

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

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

MOVED BY:	J. Page	SECONDED BY:	J. Robinson	CARRIED
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File: "A" 271/16  
WARD 1

Application Approved.

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

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **SEPTEMBER 7, 2016**.

Date of mailing is August 22, 2016.

ABSENT

S. PATRIZIO

J. ROBINSON

J. PAGE

P. QUINN

D. GEORGE

(CHAIR)

D. KENNEDY

D. REYNOLDS

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

DAVID L. MARTIN, SECRETARY-TREASURER

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

**NOTES:**

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

## COMMITTEE OF ADJUSTMENT

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

on Thursday, August 11, 2016

Steven Sunjka & Elizabeth Sajko are the owners of 1402 Haig Boulevard being Lot 5, Plan 348, zoned R3-75, Residential. The applicants request the Committee to authorize a minor variance to permit the construction of a new detached garage in the rear yard proposing:

1. a garage floor area of 117.10m<sup>2</sup> (1,260.49sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum garage floor area of 75.00m<sup>2</sup> (807.31sq.ft.) in this instance;
2. a height of 6.45m (21.16ft.) for the detached garage; whereas By-law 0225-2007, as amended, permits a maximum height of 4.60m (15.09ft.) for a detached garage in this instance; and,
3. a south-easterly side yard of 0.60m (2.00ft.) to the detached garage; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) to the detached garage in this instance.

On July 7, 2016, Mr. D. Dunat, authorized agent, attended and requested that the application be deferred to allow time to address the Planning & Building Department comments.

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

The City of Mississauga Planning and Building Department commented as follows (June 30, 2016):

### "Recommendation

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

### 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: BP 9ALT 16-1016

## Comments

### Zoning

The Planning and Building Department is currently processing a Building Permit application and based on the review of the information currently available for this Building Permit, we advise that more information is required to verify the accuracy of the requested variances and to determine whether additional variances will be required.

### Planning

The requested variances for the construction of the garage are excessive in nature and not characteristic of a residential garage structure. The garage is 18.29 m (60.00 ft.) long, very close to the property line, and is significantly over the permitted Gross Floor Area (GFA) and height permissions of the Zoning By-law. The intent of the Zoning by-law GFA and height restrictions related to garages are to ensure that an accessory garage is appropriate in scale to the dwelling, in scale with the neighbourhood, and does not have a significant additional massing impact. The garage area appears to be greater in lot coverage than that of the dwelling; whereas, a residential garage should be subordinate to the dwelling.

Based on the preceding information, the Planning and Building Department is of the opinion that the application should be refused on the grounds that the proposal is not minor and does not maintain the general intent of the Zoning By-law."

The City of Mississauga Transportation and Works Department commented as follows (June 30, 2016):

"The applicant is requesting to construct a new detached garage in the rear yard significantly larger than the by-law permits and also a reduction in the south-easterly side yard to 0.6M whereas 1.20M is required. Acknowledging that the Transportation and Works Department concerns/requirements can typically be addressed through the Building Permit Process, this section has some drainage related concerns which we feel should be addressed prior to the approval of this variance application.

Acknowledging the significant size of the rear yard this department does not see the rationale in reducing the setback to the garage from the required 1.20M to the requested 0.60M. With the construction of a detached garage in the rear yard and additional hard surface area which will be created by the driveway, the amount of drainage runoff will be significantly increased in the rear yard.

In view of the above and should Committee see merit in the applicant's request we would recommend that a condition of approval be that the owner obtain grading approval from our Development Construction Section to ensure that the proposed works will not have any drainage impact on the adjacent properties. We are also noting for the applicant's information that a grading security deposit may be required to ensure that the garage and driveway area will be constructed in accordance with any approved plan."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (July 4, 2016):

"The Region has no comments or objections."

An email was received from W. Costa of 1405 Applewood Road expressing interest in the application and concerned about how close the garage may be from his property line and the height of the garage.

Letters were received from J. DiCarlo, of 1412 Haig Blvd. expressing objection to the application. Mr. DiCarlo is concerned that these proposed oversized garages would be used for more than residential use. He indicated that the height and size of the buildings are not in character with the neighbourhood.

No other persons expressed any interest in the application.



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

On August 11, 2016, Mr. D. Dunat, authorized agent, attended and advised that he discussed the application further with Planning and Building Department staff and they have advised that the driveway is too close to the side property line. Mr. Dunat advised that they will modify the driveway so that it complies with the By-law.

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

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

**"Recommendation**

The Planning and Building Department has no objection to variances #1, #2, #3 and #5; however, we recommend that the requested variance #4 be refused.

**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: BP 9ALT 16-1015

**Comments**

**Zoning**

The Planning and Building Department is currently processing a Building Permit application and based on the review of the application, we advise that the following variances are required:

4. Insufficient driveway setback. A proposed driveway setback of 0.0 m, whereas By-law 0225-2007, as amended, requires the nearest part of a driveway to be a minimum distance of 0.60 m (1.97 ft.) from a side lot line, in this instance; and

5. Excessive number of walkway attachments to a driveway. Three walkway attachments are proposed on one side of the driveway, whereas By-law 0225-2007, as amended, restricts the number of walkway attachments to one walkway attached to a driveway with a maximum attachment of 1.5 m (4.92 ft.) permitted on each side of a driveway, in this instance.

**Planning**

The neighbourhood character and lot fabric along this section of Haig Boulevard is a unique situation in that the lots are very deep with varying dwelling and accessory structure locations, with other large garage structures existing throughout the neighbourhood. The Department would generally be hesitant to support increases in garage height and Gross Floor Area (GFA) similar to what is requested; however, the context of the applicant's proposal in conjunction with the proposal at 1394 Haig Boulevard is unique.

One of the intents of the Zoning By-law in restricting the GFA of a garage structure is to ensure that it is not disproportionately large relative to the lot and neighbouring lots. The lot depth of 98.91 m (324.51 ft.) and lot area of 2025.60 m<sup>2</sup> (21803.38 sq. ft.) allow for significant rear yard open space and building area. The R3-75 zoning permits a maximum lot coverage of 35%, whereas the applicant is proposing 19.6% including the proposed garage structure. The Department is of the opinion that the general intent of the Zoning By-law is maintained and the proposed garage structure is appropriately proportional to the lot.

The proposed height of 6.45 m (21.16 ft.) would be a concern if the structure were closer to northerly property line. The impact of the height of an accessory structure is much more pronounced as the proximity to the property line decreases. The separation distance between the garage and the property to the north is 13.66 m (44.82 ft.), which creates ample separation distance to mitigate a lot of the increased height impacts. Further, the height to the eaves is 3.00 m (9.84 ft.) so the top half of the structure does not have the same massing impact as the roof angles towards the middle. In this instance the proximity to the northerly lot line is not of concern given that the adjacent property at 1394 Haig Boulevard is currently subject to application A 271/16 which seeks to mirror this application to allow an identical garage to be constructed on that lot; the location of each of the proposed garages adjacent to each other will negate any impacts.

Similarly, the location of the proposed garage structures also means that the decreased setback of 0.60 m (1.97 ft.) does not create a negative impact on the adjacent property. A separation distance of 0.60 m (1.97 ft.) from a lot line still allows for adequate access to the side of the structure for things like basic maintenance and is appropriate in this instance.

The required additional variance for multiple walkway connections is minor in nature. Each of the walkway connections are modest in size, spaced well apart, and located in sensible places along the driveway.

The Department has concerns regarding the 0.0 m setback to the lot line for the driveway. The driveway is significant in length and it is not appropriate to provide no setback to the lot line for this length of driveway. Providing a 0.60 m (1.97 ft.) setback from the lot line would still allow for a driveway width of 3.41 m (11.19 ft.) at the narrowest pinch point near the rear wall of the dwelling. A driveway width of 3.41 m (11.19 ft.) is adequate for access of vehicles to the garage in the rear yard and the Department is of the opinion that the setback reduction is not appropriate or desirable and does not meet the general intent of the Zoning By-law.

Based on the preceding information, the Planning and Building Department has no objection to the requested variances, as amended, with the exception of variance #4, which we recommend be refused."

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

"Further to our previous comments the Committee of Adjustment Office has recirculated this application and advised that there will be no changes to the originally requested variances. As we indicated in our previous comments the applicant is requesting to construct a new detached garage in the rear yard significantly larger than the by-law permits and also a reduction in the side yard to 0.6M whereas 1.20M is required. Acknowledging the significant size of the rear yard this department does not see the rationale in reducing the setback to the garage from the required 1.20M to the requested 0.60M. With regards to any grading and drainage related concerns, this department's requirements can and will be addressed through the Building Permit Process."

The Region of Peel, Public Works, Development Services Division commented as follows (August 5, 2016):

"We have no comments or objections."



## MISSISSAUGA

File: "A" 272/16

WARD 1

A letter was received from D. Blyleven, property owner at 1389 Haig Boulevard, expressing no objection to the application noting that the vehicles and trailers that are displayed on the driveway will now be stored within the garage and thereby enhances the streetscape.

A letter was received from J. Di Carlo, property owner at 1412 Haig Boulevard, expressing objection to the application and noting his concerns with respect to proposed use of the structure, increased traffic, potential for fire to spread due to the close distance of the structure to the adjoining structure on the adjacent lot, reduction in sunlight, and possibility of a decrease in property value.

Letters were received from residents/property owners at 1417, 1432, 1409, 1424, 1409, 1407, 1393, 1389, 1384, 1418, 1425, & 1394 Haig Boulevard and 1405 Applewood Road expressing support for the application.

No other persons expressed any interest in the application.

Mr. Dunat, upon hearing the comments of the Committee and the Planning and Building Department, requested that the application be amended to include the relief required for the walkway attachment.

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

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of a new detached garage in the rear yard proposing:

1. a garage floor area of 117.10m<sup>2</sup> (1,260.49sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum garage floor area of 75.00m<sup>2</sup> (807.31sq.ft.) in this instance;
2. a height of 6.45m (21.16ft.) for the detached garage; whereas By-law 0225-2007, as amended, permits a maximum height of 4.60m (15.09ft.) for a detached garage in this instance;
3. a south-easterly side yard of 0.60m (2.00ft.) to the detached garage; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) to the detached garage in this instance; and,
4. three walkway attachments on one side of the driveway, whereas By-law 0225-2007, as amended, restricts the number of walkway attachments to one walkway attached to a driveway with a maximum attachment of 1.50 m (4.92 ft.) permitted on each side of a driveway, in this instance.

MOVED BY:	J. Page	SECONDED BY:	J. Robinson	CARRIED
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File: "A" 272/16  
WARD 1

Application Approved.

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

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **SEPTEMBER 7, 2016**.

Date of mailing is August 22, 2016.

ABSENT

S. PATRIZIO

J. ROBINSON

D. GEORGE (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 18, 2016.

DAVID L. MARTIN, SECRETARY-TREASURER

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

**NOTES:**

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

## COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 45(1) OR (2)  
of The Planning Act R.S.O. 1990, c.P.13, as amended

- and -

IN THE MATTER OF ZONING BY-LAW 0225-2007  
as amended

- and -

IN THE MATTER OF AN APPLICATION BY

ANGELO & ANNA RAITISINIS

on Thursday, August 11, 2016

Angelo & Anna Raitsinis are the owners of 28 Theodore Drive being Lot 4, Plan 529, zoned R2-50, Residential. The applicants request the Committee to authorize a minor variance to permit the construction of a new two storey dwelling on the subject property proposing a Gross Floor Area - Infill Residential of 446.00m<sup>2</sup> (4,800.70sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum Gross Floor Area - Infill Residential of 419.25m<sup>2</sup> (4,512.91sq.ft.) in this instance.

On July 7, 2016, Mr. A. Raitsinis, property owner, attended and requested that the application be deferred to allow additional time to meet with the neighbouring residents to address their comments and concerns.

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

The City of Mississauga Planning and Building Department commented as follows (June 30, 2016):

### "Recommendation

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

### Background

#### Mississauga Official Plan

Character Area: Streetsville Neighbourhood  
Designation: Low Density I

#### Zoning By-law 0225-2007

Zoning: R2-50

#### Other Applications:

#### Comments

#### Zoning

The Building Department is currently processing a building permit application under file 16-1223. Based on review of the information currently available for this building permit, 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.

Additional variance(s) may be required: side yard setback to 2nd storey is insufficient 1.8 m indicated whereas 1.81 m is required.

## Planning

The City of Mississauga implemented a Streetsville infill housing bylaw in 2011. The requested variances contravene the intent of the infill housing bylaw. In our opinion the requested variances and massing reflect a dwelling design that emphasizes its excessive size and nature. Given that the proposal is for a new dwelling on a regularly shaped lot without constraints, we are not satisfied as to the reason why the applicant requires relief from the zoning bylaw in this manner. As such, it is our opinion that the requested variances do not reflect appropriate development of the subject property.

The Zoning By-law intends housing to be complementary in scale with the neighbourhood scale and character. The majority of the neighbourhood is defined by bungalows; newer two storey homes make up a small fraction of the context. Lots on the west side of Theodore Drive are among the largest in the vicinity, and consequently the zoning allows for larger dwellings. The variance to allow additional GFA would have the effect of allowing a dwelling of a size that is uncharacteristic of the neighbourhood. The proposed building height is exacerbated by a roof style and false third storey dormers that contribute to the overall mass.

The site is relatively flat with a negligible grade change so there is no technical interpretation that is responsible for the request. Given that the proposal is a new build, the applicant should be able to design a dwelling within the permitted height requirements for the zone.

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

The City of Mississauga Transportation and Works Department commented as follows (June 30, 2016):

"This department has no objections to the applicants request to permit the construction of a two-storey dwelling. We are also noting for information purposes that any Transportation and Works Department concerns/requirements will be addressed at the time of the Building Permit process."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (July 4, 2016):

"We have no comments or objections to 'A'-274/16."

An email was received from W. & G. Hatton, of 22 Theodore Drive, expressing objection to the application. They indicated that there is no reason why the applicant cannot comply and build in accordance with the Zoning By-law regulations. They requested that the Committee uphold the Zoning By-law regulations

A letter was received from M. Fraser, of 29 Theodore Drive, expressing objection to the application. Ms. Fraser explained that there was a new Zoning By-law that was passed by Council in 2011 to provide guidance for new development and to preserve the character and spirit of the Streetsville community. Ms. Fraser requested that the applications be rejected.

A letter was received from K. & B. Avery, of 31 Theodore Drive, expressing objection to the application. They noted that the By-laws are in place to provide for dwellings to fit the feel and look of the neighbourhood.

Letters were received from B. Swech, of 32 Theodore Drive, expressing objection to the application. She indicated that building within the Zoning By-law allows a very nice home to be built that fits well with the existing neighbourhood.

A letter was received from D. & K. Gallant, of 33 Theodore Drive, expressing objection to the application. They feel that the existing By-laws are more than sufficient for this area.

An email was received from L. Borthwick, of 36 Theodore Drive, expressing objection to all the requested variances and requested that the design suit the neighbourhood. L. Borthwick referred to a house that has been under construction at 40 Theodore Drive for about five (5) years and questioned how such a large house could have been built when the side door cannot be used without putting down temporary stairs to exit and when the stairs are there, a driveway cannot allow a car to pass.

No other persons expressed any interest in the application.

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

On August 11, 2016, Mr. A. Raitsinis, co-owner of the property, attended and presented the application. He explained that the plans have been revised to reduce the floor area of the dwelling and eliminate two of the previous variance requests. Mr. Raitsinis advised that the designer was unaware of the Gross Floor Area – Infill regulations when he originally prepared the plans. Mr. Raitsinis presented a petition and sketch and advised that they have spoken with their neighbours and nine (9) of them do not object to the application, five (5) were not available, one (1) would not discuss the application with his wife, and two (2) were opposed.

Mr. Raitsinis advised that the lot is one of the larger lots on the street and the proposed lot coverage is less than the maximum permitted lot coverage. He indicated that the increased floor area will not be visible from the street. Mr. Raitsinis advised that the Planning and Building Department do not object 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 (August 5, 2016):

**"Recommendation**

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

**Background**

**Mississauga Official Plan**

Character Area: Streetsville  
Designation: Low Density I

**Zoning By-law 0225-2007**

Zoning: R2-50

**Other Applications:**

**Comments**

**Zoning**

The Building Department is currently processing a building permit application under file 16-1223. The building permit application has not been revised since the original submission. Based on review of the information currently available for this building permit, 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 was originally scheduled for the July 7, 2016 agenda. The applicant noted the concern from neighbourhood residents, and opted to defer the application in order to meet with the residents. The applicant also met with Staff. The result is a revised dwelling design proposal.

Originally the application requested three variances. The current application has redesigned the dwelling, reducing the overall height, height to the eaves, and the Gross Floor Area (GFA). The revised submission removes the height variances, and requests a GFA variance.

The City of Mississauga implemented the Streetsville infill housing by-law in 2011. The by-law intends housing to be complementary in scale with the neighbourhood scale and character. The neighbourhood is mostly original bungalows and split level homes, with some newer and larger dwellings.

The proposed dwelling is larger in scale than the neighbouring properties but the height and massing conform to the by-laws. The additional GFA is accommodated within the lot without requiring additional variances for side or rear yard setbacks, or dwelling depth. The additional GFA does not impact the streetscape.

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

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

"Please refer to our comments submitted for the July 7, 2016 hearing of this application as those comments are still applicable."

The Region of Peel, Public Works, Development Services Division commented as follows (August 5, 2016):

"We have no comments or objections."

A letter was received from J. and V. Honsa, property owners at 30 Theodore Drive, expressing support for the application.

A letter was received from L. Borthwick, property owner at 36 Theodore Drive, indicating opposition to the application noting that the applicant has not been in contact. L. Borthwick indicated that the dwelling should comply with the Zoning By-law.

A petition was received, signed by the residents/property owners at 32, 33, 31, 25, 34, 23, 29, 24, 12, 6, 8, 5, 14, and 16 Theodore Drive, and 5918, 5907, 5937, 5913, 5927, 5917, 5933, 5899, and 5903 Rayshaw Crescent, expressing no objection to the application.

No other persons expressed any interest in the application.

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

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

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

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

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

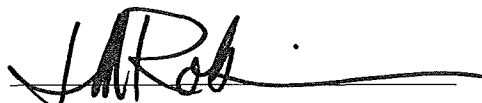
Dated at the City of Mississauga on August 18, 2016.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **SEPTEMBER 7, 2016**.

Date of mailing is August 22, 2016.

ABSENT

S. PATRIZIO



J. ROBINSON



J. PAGE



P. QUINN



D. GEORGE (CHAIR)



D. KENNEDY



D. REYNOLDS

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



DAVID L. MARTIN, SECRETARY-TREASURER

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

**NOTES:**

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