

COMMITTEE OF ADJUSTMENT  
AGENDA



Location: COUNCIL CHAMBER

Hearing: JULY 14, 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
<b><u>NEW APPLICATIONS - (CONSENT)</u></b>				
B-047/16 A-300/16 A-301/16	ANTHONY & DEBRA MAY MATRUCCI	39 MAPLE AVE N	1	Approved
B-048/16 A-302/16 A-303/16	ANTHONY & DEBRA MAY MATRUCCI	41 MAPLE AVE N	1	Approved

**NEW APPLICATIONS - (MINOR VARIANCE)**

A-291/16	ISIDRO MENDIOLA	1061 DUNDAS ST W	6	Aug. 25
A-292/16	SEAN BOUTILIER	3623 HAWKESTONE RD	6	Aug. 18
A-293/16	1574626 ONTARIO INC	3663 PLATINUM DR	8	Approved
A-294/16	COLLEEN ADAMS & TONY CRISOSTIMO	1251 STAVEBANK RD	1	Approved
A-295/16	ENZO & NANCY DIFILIPPO	2218 HARCOURT CRES	1	Approved
A-296/16	PETER MURDOCH & LORIE LELIEVER	1261 STAVEBANK RD	1	Approved
A-297/16	SYEDA MOMNA ZRINAD	405 BAGGETTA CRES	5	Approved
A-298/16	2449370 ONTARIO INC	2323 ANSON DR	5	Approved
A-299/16	KYLIE CAMPBELL	1064 GREAVES AVE	1	Sept. 15

**DEFERRED APPLICATIONS - (MINOR VARIANCE)**

A-135/16	TADEUSZ AND MIROSLAWA WIERCISZEWSKI	3256 NOBLETON DR	3	Approved
A-163/16	ISIS & RAMZY GUIRGUIS	5217 ADOBE CRT	10	Aug. 25
A-214/16	INNA KOVALIV	1341 NORTHAVEN DR	1	Withdrawn
A-227/16	MARIA FINELLI	2222 DOULTON DR	8	Aug. 11
A-265/16	TANIYA & VIJAY MANN	93 CUMBERLAND DR	1	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

ANTHONY & DEBRA MAY MATRUCCI

on Thursday, July 14, 2016

Anthony & Debra May Matrucci are the owners of 39 Maple Avenue North being Part of Lots 21 & 22, Registered Plan 419, zoned RM7, Residential. The applicants request the consent of the Committee to the conveyance of a parcel of land proposing a lot frontage of approximately 6.28m (20.60ft.) and a lot area of approximately 284.90m<sup>2</sup> (3,066.34ft.<sup>2</sup>). The effect of the application is to create a new lot for residential (semi-detached) purposes.

Mr. W. Oughtred of W. E. Oughtred & Associates Inc., authorized agent, attended and presented the application. Mr. Oughtred noted that the subject application has been filed concurrently with minor variance applications 'A'-300/16 & 'A'-301/16. He also noted that he represents the same owners of the property located at 41 Maple Avenue North which is subject to severance and minor variance applications 'B'48/16, 'A'-302/16 & 'A'-303/16. Mr. Oughtred presented a map of the area and highlighted the subject property proposed to be severed into two (2) 6.28m (20.60ft.) Zoning By-law frontage lots.

Mr. Oughtred noted that the Notice indicated a 6.61m (21.69ft.) proposed lot frontage instead of indicating the 6.28m (20.60ft.) proposed Zoning By-law frontage. Mr. Oughtred explained that there have been many severances and semi-detached homes built in this area over the last few years. Mr. Oughtred further explained that the new homes will be three (3) storeys high with pitched roofs and will comply with all provisions of the Zoning By-law. The only variances which are required are for the lot frontages for the newly created lots.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (July 8, 2016),  
City of Mississauga, Transportation and Works Department (July 7, 2016),  
City of Mississauga, Community Services Department (July 11, 2016),  
Region of Peel, Environment, Transportation & Planning Services (July 8, 2016).

A letter was received from A. & K. Chemij of 35 Maple Avenue North expressing concerns about the application and that it will result in a negative impact on the aesthetic of the street and character of the neighbourhood. Mr. and Ms. Chemij requested that the provisions of the Zoning By-law be upheld and that the applications be denied.

Mr. G. Kirton, Planner with the City of Mississauga Planning & Building Department, attended and noted that the subject property is now zoned RM7-5, Residential as per the City's recent flat roof Zoning By-law. The Ontario Municipal Board has reached a decision and therefore this property along with the others in this area that were under appeal are no longer subject to the previous RM-7 zone.

No other persons expressed any interest in the application.

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

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the "severed" land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no additional services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, 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). (A 300/16 & A 301/16)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated July 7, 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 July 11, 2016 (re: street tree).

MOVED BY:	J. Page	SECONDED BY:	S. Patrizio	CARRIED
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Application Approved, on conditions as stated.

Dated at the City of Mississauga on July 21, 2016.


THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **August 14, 2016**.

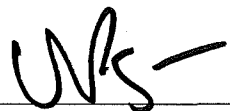
Date of mailing is July 25, 2016.

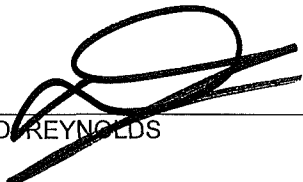
  
S. PATRIZIO

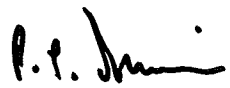
  
D. GEORGE (CHAIR)

ABSENT  
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 July 21, 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 **July 25, 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

ANTHONY & DEBRA MAY MATRUCCI

on Thursday, July 14, 2016

Anthony & Debra May Matrucci are the owners of 39 Maple Avenue North being Part of Lots 21 & 22, Registered Plan 419, zoned RM7-5, Residential. The applicants request the Committee to authorize a minor variance for the creation of a new lot (associated consent File B047/16) proposing a lot frontage of 6.28m (20.60ft.); whereas Bylaw 0225-2007, as amended, requires a minimum lot frontage of 6.80m (22.31ft.) in this instance.

Mr. W. Oughtred of W. E. Oughtred & Associates Inc., authorized agent, attended and presented the application. Mr. Oughtred noted that the subject application has been filed concurrently with consent application 'B'-47/16. He also noted that he represents the same owners of the property located at 41 Maple Avenue North which is subject to severance and minor variance applications 'B'48/16, 'A'-302/16 & 'A'-303/16. Mr. Oughtred presented a map of the area and highlighted the subject property proposed to be severed into two (2) 6.28m (20.60ft.) Zoning By-law frontage lots.

Mr. Oughtred explained that the new homes will be three (3) storeys high with pitched roofs and will comply with all provisions of the Zoning By-law. The only variance necessary is for lot frontage as requested.

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

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

### "Recommendation

The Planning and Building Department has no objection to the requested consent applications and associated minor variance applications.

### Background

#### Mississauga Official Plan

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

#### Zoning By-law 0225-2007

Zoning: RM7 (Residential)

#### Other Applications:

N/A

## Comments

### Zoning

It should be noted that the variances, as requested, have been reviewed based on the 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 variances or determine whether additional variances may be required.

### Planning

Under the RM7 Zone provisions, a semi-detached dwelling is permitted in compliance with the RM2 zone regulations.

Since 1961, the Village of Port Credit Zoning By-law No. 1227 has permitted a variety of housing types for the subject lands including detached, duplex, triplex, double duplex, double triplex, fiveplex, converted dwelling and boarding or lodging house. In 1997, City Plan (the Official Plan) was adopted, permitting detached, semi-detached, duplex and other forms of dwellings with individual frontages on a public street. In 2007, the City undertook a Zoning By-law conformity and consolidation exercise including public consultation, which adopted the current RM7 zone provisions.

Furthermore, the subject property is located within the Port Credit Local Area Plan of Mississauga Official Plan and Section 3.1.2 states the following:

- The Residential Low Density II designation permits detached, semi-detached, duplex, triplex and street townhouse dwellings.

Section 16.1.2.1 of Mississauga Official Plan states that a Consent application should generally represent the greater of the average lot frontage and area of residential lots within 120 m (393.70 ft.) or the requirements of the Zoning By-law. In this instance, since the RM7 Residential zone provisions permit semi-detached dwellings, and the surrounding properties contain a mix of single detached dwellings and semi-detached dwellings, this comparison is not appropriate.

The requested lot frontage variance is a relatively minor deviation from what the Zoning By-law requires and the applicant is not requesting relief from any other by-law provisions. The applicant has not provided elevations or concept plans for the dwellings which would be constructed; however, the Department would likely not support variance requests to reduce Zoning By-law provisions such as setbacks in the future.

Based on the preceding information, this Department has no objection to the Consent applications and associated minor variance applications."

The City of Mississauga Transportation and Works Department commented as follows (July 7, 2016):

"We are noting for information purposes that any Transportation and Works concerns/requirements for this property will be addressed under Consent Application 'B' 47/16."

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

"We have no comments or objections to the following application A300/16."

A letter was received from A. & K. Chemij of 35 Maple Avenue North expressing concerns about the application and that it will result in a negative impact on the aesthetic of the street

and character of the neighbourhood. Mr. and Ms. Chemij requested that the provisions of the Zoning By-law be upheld and that the applications be denied.

Mr. G. Kirton, Planner with the City of Mississauga Planning & Building Department, attended and noted that the subject property is now zoned RM7-5, Residential as per the City's recent flat roof Zoning By-law. The Ontario Municipal Board has reached a decision and therefore this property along with the others in this area that were under appeal are no longer subject to the previous RM-7 zone.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Oughtred and having reviewed the plans and comments from City staff, is satisfied that the request is desirable for the appropriate further development of the subject property. The Committee recognized that there were a lot of semi-detached homes that have recently been built and they believed the request for reduced lot frontages was minor in this instance and in character with the local neighbourhood.

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:	S. Patrizio	CARRIED
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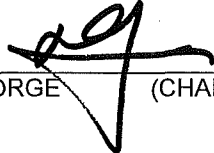
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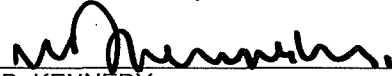
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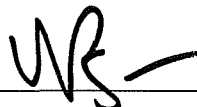
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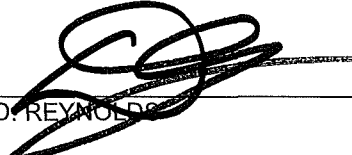
  
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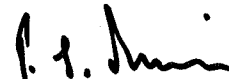
  
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I certify this to be a true copy of the Committee's decision given on July 21, 2016.

  
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**

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

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

### **"Recommendation**

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### **Background**

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

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**Zoning:** RM7 (Residential)

#### **Other Applications:**

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MOVED BY:	J. Page	SECONDED BY:	S. Patrizio	CARRIED
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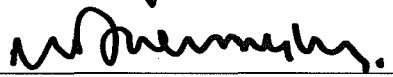
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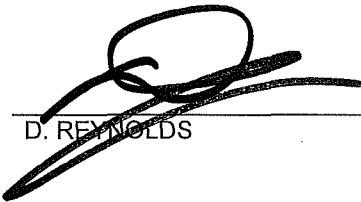
  
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2. An application amendment letter shall be received from the applicant or authorized agent confirming that the "severed" land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width 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). (A 302/16 & A 303/16)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated July 7, 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 July 11, 2016 (re: street tree).

MOVED BY:	J. Page	SECONDED BY:	S. Patrizio	CARRIED
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Application Approved, on conditions as stated.

Dated at the City of Mississauga on July 21, 2016.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **August 14, 2016**.

Date of mailing is July 25, 2016.

  
S. PATRIZIO

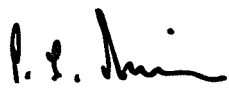
  
D. GEORGE (CHAIR)

ABSENT  
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 July 21, 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 **July 25, 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

ANTHONY & DEBRA MAY MATRUCCI

on Thursday, July 14, 2016

Anthony & Debra May Matrucci are the owners of 41 Maple Avenue North being Part of Lots 20 & 21, Registered Plan 419, zoned RM7, Residential. The applicants request the Committee to authorize a minor variance for the creation of a new lot (associated consent File B048/16) proposing a lot frontage of 6.28m (20.60ft.); whereas Bylaw 0225-2007, as amended, requires a minimum lot frontage of 6.80m (22.31ft.) in this instance.

Mr. W. Oughtred of W. E. Oughtred & Associates Inc., authorized agent, attended and presented the application. Mr. Oughtred noted that the subject application has been filed concurrently with consent application 'B'-48/16. He also noted that he represents the same owners of the property located at 39 Maple Avenue North which is subject to severance and minor variance applications 'B'47/16, 'A'-300/16 & 'A'-301/16. Mr. Oughtred presented a map of the area and highlighted the subject property proposed to be severed into two (2) 6.28m (20.60ft.) Zoning By-law frontage lots.

Mr. Oughtred explained that the new homes will be three (3) storeys high with pitched roofs and will comply with all provisions of the Zoning By-law. The only variance necessary is for lot frontage as requested.

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

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

### "Recommendation

The Planning and Building Department has no objection to the requested consent applications and associated minor variance applications.

### Background

#### Mississauga Official Plan

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

#### Zoning By-law 0225-2007

Zoning: RM7 (Residential)

#### Other Applications:

N/A



## Comments

### Zoning

It should be noted that the variances, as requested, have been reviewed based on the 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 variances or determine whether additional variances may be required.

### Planning

Under the RM7 Zone provisions, a semi-detached dwelling is permitted in compliance with the RM2 zone regulations.

Since 1961, the Village of Port Credit Zoning By-law No. 1227 has permitted a variety of housing types for the subject lands including detached, duplex, triplex, double duplex, double triplex, fiveplex, converted dwelling and boarding or lodging house. In 1997, City Plan (the Official Plan) was adopted, permitting detached, semi-detached, duplex and other forms of dwellings with individual frontages on a public street. In 2007, the City undertook a Zoning By-law conformity and consolidation exercise including public consultation, which adopted the current RM7 zone provisions.

Furthermore, the subject property is located within the Port Credit Local Area Plan of Mississauga Official Plan and Section 3.1.2 states the following:

- The Residential Low Density II designation permits detached, semi-detached, duplex, triplex and street townhouse dwellings.

Section 16.1.2.1 of Mississauga Official Plan states that a Consent application should generally represent the greater of the average lot frontage and area of residential lots within 120 m (393.70 ft.) or the requirements of the Zoning By-law. In this instance, since the RM7 Residential zone provisions permit semi-detached dwellings, and the surrounding properties contain a mix of single detached dwellings and semi-detached dwellings, this comparison is not appropriate.

The requested lot frontage variance is a relatively minor deviation from what the Zoning By-law requires and the applicant is not requesting relief from any other by-law provisions. The applicant has not provided elevations or concept plans for the dwellings which would be constructed; however, the Department would likely not support variance requests to reduce Zoning By-law provisions such as setbacks in the future.

Based on the preceding information, this Department has no objection to the Consent applications and associated minor variance applications."

The City of Mississauga Transportation and Works Department commented as follows (July 7, 2016):

"We are noting for information purposes that any Transportation and Works concerns/requirements for this property will be addressed under Consent Application 'B' 47/16."

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

"We have no comments or objections to the following application A300/16."

A letter was received from A. & K. Chemij of 35 Maple Avenue North expressing concerns about the application and that it will result in a negative impact on the aesthetic of the street

and character of the neighbourhood. Mr. and Ms. Chemij requested that the provisions of the Zoning By-law be upheld and that the applications be denied.

Mr. G. Kirton, Planner with the City of Mississauga Planning & Building Department, attended and noted that the subject property is now zoned RM7-5, Residential as per the City's recent flat roof Zoning By-law. The Ontario Municipal Board has reached a decision and therefore this property along with the others in this area that were under appeal are no longer subject to the previous RM-7 zone.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Oughtred and having reviewed the plans and comments from City staff, is satisfied that the request is desirable for the appropriate further development of the subject property. The Committee recognized that there were a lot of semi-detached homes that have recently been built and they believed the request for reduced lot frontages was minor in this instance and in character with the local neighbourhood.

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:	S. Patrizio	CARRIED
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Application Approved.

Dated at the City of Mississauga on July 21, 2016.

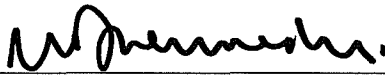
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **August 10, 2016**.

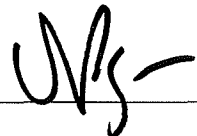
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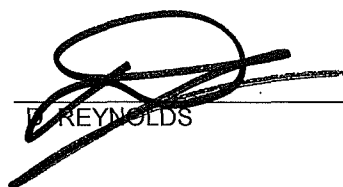
  
S. PATRIZIO

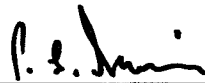
  
D. GEORGE (CHAIR)

ABSENT  
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 July 21, 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

ANTHONY & DEBRA MAY MATRUCCI

on Thursday, July 14, 2016

Anthony & Debra May Matrucci are the owners of 41 Maple Avenue North being Part of Lots 20 & 21, Registered Plan 419, zoned RM7, Residential. The applicants request the Committee to authorize a minor variance for the creation of a new lot (associated consent File B048/16) proposing a lot frontage of 6.28m (20.60ft.); whereas Bylaw 0225-2007, as amended, requires a minimum lot frontage of 6.80m (22.31ft.) in this instance.

Mr. W. Oughtred of W. E. Oughtred & Associates Inc., authorized agent, attended and presented the application. Mr. Oughtred noted that the subject application has been filed concurrently with consent application 'B'-48/16. He also noted that he represents the same owners of the property located at 39 Maple Avenue North which is subject to severance and minor variance applications 'B'47/16, 'A'-300/16 & 'A'-301/16. Mr. Oughtred presented a map of the area and highlighted the subject property proposed to be severed into two (2) 6.28m (20.60ft.) Zoning By-law frontage lots.

Mr. Oughtred explained that the new homes will be three (3) storeys high with pitched roofs and will comply with all provisions of the Zoning By-law. The only variance necessary is for lot frontage as requested.

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

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

### "Recommendation

The Planning and Building Department has no objection to the requested consent applications and associated minor variance applications.

### Background

#### Mississauga Official Plan

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

#### Zoning By-law 0225-2007

Zoning: RM7 (Residential)

#### Other Applications:

N/A

## Comments

### Zoning

It should be noted that the variances, as requested, have been reviewed based on the 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 variances or determine whether additional variances may be required.

### Planning

Under the RM7 Zone provisions, a semi-detached dwelling is permitted in compliance with the RM2 zone regulations.

Since 1961, the Village of Port Credit Zoning By-law No. 1227 has permitted a variety of housing types for the subject lands including detached, duplex, triplex, double duplex, double triplex, fiveplex, converted dwelling and boarding or lodging house. In 1997, City Plan (the Official Plan) was adopted, permitting detached, semi-detached, duplex and other forms of dwellings with individual frontages on a public street. In 2007, the City undertook a Zoning By-law conformity and consolidation exercise including public consultation, which adopted the current RM7 zone provisions.

Furthermore, the subject property is located within the Port Credit Local Area Plan of Mississauga Official Plan and Section 3.1.2 states the following:

- The Residential Low Density II designation permits detached, semi-detached, duplex, triplex and street townhouse dwellings.

Section 16.1.2.1 of Mississauga Official Plan states that a Consent application should generally represent the greater of the average lot frontage and area of residential lots within 120 m (393.70 ft.) or the requirements of the Zoning By-law. In this instance, since the RM7 Residential zone provisions permit semi-detached dwellings, and the surrounding properties contain a mix of single detached dwellings and semi-detached dwellings, this comparison is not appropriate.

The requested lot frontage variance is a relatively minor deviation from what the Zoning By-law requires and the applicant is not requesting relief from any other by-law provisions. The applicant has not provided elevations or concept plans for the dwellings which would be constructed; however, the Department would likely not support variance requests to reduce Zoning By-law provisions such as setbacks in the future.

Based on the preceding information, this Department has no objection to the Consent applications and associated minor variance applications."

The City of Mississauga Transportation and Works Department commented as follows (July 7, 2016):

"We are noting for information purposes that any Transportation and Works concerns/requirements for this property will be addressed under Consent Application 'B' 47/16."

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

"We have no comments or objections to the following application A300/16."

A letter was received from A. & K. Chemij of 35 Maple Avenue North expressing concerns about the application and that it will result in a negative impact on the aesthetic of the street

and character of the neighbourhood. Mr. and Ms. Chemij requested that the provisions of the Zoning By-law be upheld and that the applications be denied.

Mr. G. Kirton, Planner with the City of Mississauga Planning & Building Department, attended and noted that the subject property is now zoned RM7-5, Residential as per the City's recent flat roof Zoning By-law. The Ontario Municipal Board has reached a decision and therefore this property along with the others in this area that were under appeal are no longer subject to the previous RM-7 zone.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Oughtred and having reviewed the plans and comments from City staff, is satisfied that the request is desirable for the appropriate further development of the subject property. The Committee recognized that there were a lot of semi-detached homes that have recently been built and they believed the request for reduced lot frontages was minor in this instance and in character with the local neighbourhood.

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:	S. Patrizio	CARRIED
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Application Approved.

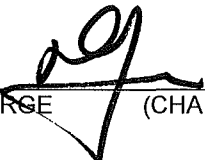
Dated at the City of Mississauga on July 21, 2016.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **August 10, 2016**.

Date of mailing is July 25, 2016.

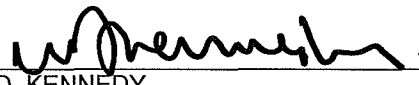


S. PATRIZIO

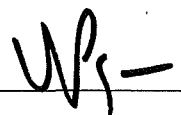


D. GEORGE (CHAIR)

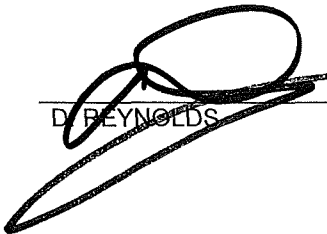
ABSENT  
J. ROBINSON



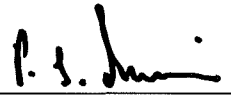
D. KENNEDY



J. PAGE




D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on July 21, 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

1574626 ONTARIO INC.

on Thursday, July 14, 2016

1574626 Ontario Inc. is the owner of 3663 Platinum Drive being Block 3, Registered Plan M-1977, zoned E2, Employment. The applicant requests the Committee to authorize a minor variance to permit the establishment of a car wash and detailing center on the subject property proposing:

1. a concrete walkway to be located in the landscape buffer; whereas Bylaw 0225-2007, as amended, does not contemplate a concrete walkway to be located in the landscape buffer in this instance,
2. a landscape buffer of 2.84m (9.32ft.); whereas Bylaw 0225-2007, as amended, requires a minimum landscape buffer of 4.50m (14.76ft.) to be provided in this instance,
3. a front yard of 2.82m (9.25ft.); whereas Bylaw 0225-2007, as amended, requires a minimum front yard of 7.50m (24.60ft.) to be provided in this instance; and,
4. a coin car wash vehicle stacking of four (4) spaces per bay; whereas Bylaw 0225-2007, as amended, requires a total of ten (10) vehicle stacking spaces to be provided per bay in this instance.

Mr. D. Bicanic, authorized agent, attended and presented the application. Mr. Bicanic presented a site plan and identified and explained the need for the requested variances. He indicated that the first two variances are to accommodate a concrete walkway which is requested by the City. Mr. Bicanic explained that the front yard variance is required because of the irregularly shaped lot. Mr. Bicanic also indicated that there is a significant amount of landscaping being proposed throughout the site and that the reduced landscape buffer will have a negligible impact.

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

The City of Mississauga Planning and Building Department commented as follows (July 12, 2016):

### "Recommendation

The Planning and Building Department has no objection to the requested variances, as amended; however, the applicant may wish to defer the application to submit additional information through the Site Plan Approval 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: Churchill Meadows Employment Area  
Designation: Business Employment

**Zoning By-law 0225-2007**

**Zoning:** E2 (Employment)

**Other Applications:**

Site Plan Approval Application File: SP 16-29

**Comments**

**Zoning**

The Planning and Building Department is currently processing a Site Plan Approval application and based on the review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variances #1 - #3 or determine whether additional variances will be required. Requested variance #4 is not required.

**Planning**

The requested variances for front yard setback reduction and landscape buffer depth reduction both occur at pinch points on the property and the majority of the structure and landscaped area complies, or exceeds, the Zoning By-law requirements. The reduction in two specific areas should not have an impact on the neighbouring properties and the general intent of the Zoning By-law is maintained as a result of the majority of the site exceeding requirements.

The requested variance for the walkway to be located in the landscape buffer is similarly located only on a portion of the site and the separation distance is still maintained from the lot lines.

Based on the preceding information, the Planning and Building Department has no objection to the requested variances, as amended; however, the applicant may wish to defer the application to submit additional information through the Site Plan Approval 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 (July 7, 2016):

"We note for Committee's information that the City is currently processing a Site Plan Application for this property, Reference SP 16/29. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process."

The City of Mississauga Community Services Department commented as follows (June 14, 2016):

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

"We have no comments or objections to the following application A293/16."

The Ministry of Transportation commented as follows (June 29, 2016):

"The Ministry has received the submission regarding the above noted new application – (minor variance) for 3663 Platinum Drive. The location of the proposal is within MTO's

permit control area and permits will be required. MTO has already been in touch with the applicant and they are aware of the requirements."

No other persons expressed any interest in the application.

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

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

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

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

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

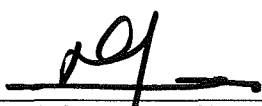
Dated at the City of Mississauga on July 21, 2016.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **August 10, 2016**.

Date of mailing is July 25, 2016.

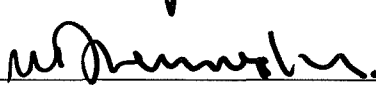


S. PATRIZIO



D. GEORGE (CHAIR)

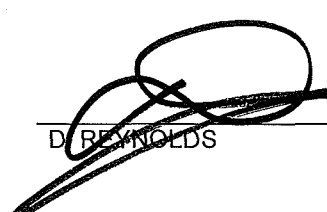
ABSENT  
J. ROBINSON



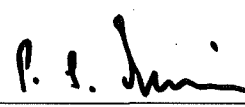
D. KENNEDY



J. PAGE

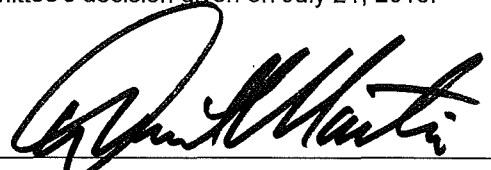


D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on July 21, 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

COLLEEN ADAMS & TONY CRISOSTIMO

on Thursday, July 14, 2016

Colleen Adams & Tony Crisostimo are the owners of 1251 Stavebank Road being Part of Lot 17, Registered Plan C-10, zoned R1-1, Residential. The applicants request the Committee to authorize a minor variance to permit the construction of a new detached dwelling on the subject property proposing:

1. a building height to the highest ridge of 9.89m (32.45ft.); whereas Bylaw 0225-2007, as amended, permits a maximum building height to the highest ridge of 9.50m (31.16ft.) in this instance,
2. a building eaves height of 7.68m (25.20ft.); whereas Bylaw 0225-2007, as amended, permits a maximum building eaves height of 6.40m (21.00ft.) in this instance,
3. a building eave projection into a required side yard, providing a setback of 1.23m (4.04ft.); whereas Bylaw 0225-2007, as amended, requires a minimum setback of 1.35m (4.43ft.) to be provided in this instance; and,
4. an accessory structure (outdoor fireplace and chimney) having a height of 10.42m (34.20ft.); whereas Bylaw 0225-2007, as amended, permits a maximum height of 3.00m (9.84ft.) in this instance.

Mr. D. Brown, of David Small Designs, authorized agent, attended and presented the application to permit the construction of a new two (2) storey dwelling on the subject property. Mr. Brown indicated there are four variances being requested. He identified and explained the two (2) variances for the height of the building and eaves which are a direct result of the sloping grade on the property. Mr. Brown noted that if the property was flat there would be no need for any height variances. Mr. Brown also indicated that the elongated eaves also trigger a variance. He further explained that the outdoor fireplace chimney structure requires a height variance because it is deemed an accessory structure with the height of the chimney being measured from the grade despite the chimney being located on the main level and towards the center of the house.

Mr. Brown concluded by summarising that the height variances are a result of the grade differences on the property and that the chimney variance is more of a technical variance. He also noted that the Heritage Impact Assessment will be dealt with through the Site Plan Approval process.

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

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

**"Recommendation**

The Planning and Building Department has no objection to the requested consent applications and associated minor variance applications.

**Background**

**Mississauga Official Plan**

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

**Zoning By-law 0225-2007**

**Zoning:** RM7 (Residential)

**Other Applications:**

N/A

**Comments**

**Zoning**

It should be noted that the variances, as requested, have been reviewed based on the 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 variances or determine whether additional variances may be required.

**Planning**

Under the RM7 Zone provisions, a semi-detached dwelling is permitted in compliance with the RM2 zone regulations.

Since 1961, the Village of Port Credit Zoning By-law No. 1227 has permitted a variety of housing types for the subject lands including detached, duplex, triplex, double duplex, double triplex, fiveplex, converted dwelling and boarding or lodging house. In 1997, City Plan (the Official Plan) was adopted, permitting detached, semi-detached, duplex and other forms of dwellings with individual frontages on a public street. In 2007, the City undertook a Zoning By-law conformity and consolidation exercise including public consultation, which adopted the current RM7 zone provisions.

Furthermore, the subject property is located within the Port Credit Local Area Plan of Mississauga Official Plan and Section 3.1.2 states the following:

- The Residential Low Density II designation permits detached, semi-detached, duplex, triplex and street townhouse dwellings.

Section 16.1.2.1 of Mississauga Official Plan states that a Consent application should generally represent the greater of the average lot frontage and area of residential lots within 120 m (393.70 ft.) or the requirements of the Zoning By-law. In this instance, since the RM7 Residential zone provisions permit semi-detached dwellings, and the surrounding properties contain a mix of single detached dwellings and semi-detached dwellings, this comparison is not appropriate.

The requested lot frontage variance is a relatively minor deviation from what the Zoning By-law requires and the applicant is not requesting relief from any other by-law provisions. The

applicant has not provided elevations or concept plans for the dwellings which would be constructed; however, the Department would likely not support variance requests to reduce Zoning By-law provisions such as setbacks in the future.

Based on the preceding information, this Department has no objection to the Consent applications and associated minor variance applications."

The City of Mississauga Transportation and Works Department commented as follows (July 7, 2016):

"We note for Committee's information that the City is currently processing a Site Plan Application for this property, Reference SP 16/051. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process."

The City of Mississauga Community Services Department commented as follows (July 11, 2016):

"The subject property is listed under the Ontario Heritage Act as it forms part of the Mineola Neighbourhood Cultural Landscape.

As such, a heritage permit is required to remove the existing dwelling and a Heritage Impact Assessment in accordance with the City's Terms of Reference for such reports is required to ascertain the impact to cultural heritage features and determine any mitigation and protection measures.

A Heritage Permit application and review are pending. In this case, Heritage Planning recommends that the owner obtain a Heritage Permit as a condition of approval for the variances."

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

"We have no comments or objections to the following application A294/16."

The Credit Valley Conservation commented as follows (June 28, 2016):

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

**Site Characteristics:**

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

As you may be aware, the site is within the City of Mississauga's Natural Heritage System designated as part of the Residential Woodland.

**Ontario Regulation 160/06:**

This property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of Credit Valley Conservation (CVC) (i.e. the issuance of a permit).

**Proposal:**

The applicant requests the Committee to authorize a minor variance to permit the construction of a new detached residential dwelling proposing:

1. a building height to the highest ridge of 9.89m (32.45ft.); whereas Bylaw 0225-2007, as amended, permits a maximum building height to the highest ridge of 9.50m (31.16ft.) in this instance,
2. a building eaves height of 7.68 (25.20ft.); whereas Bylaw 0225-2007, as amended, permits a maximum building eaves height of 6.40m (21.00ft.) in this instance,
3. a building eave projection into a required side yard, providing a setback of 1.23m (4.04ft.); whereas Bylaw 0225-2007, as amended, requires a minimum setback of 1.35m (4.43ft.) to be provided in this instance; and
4. an accessory structure (being an outdoor fireplace and chimney) having a height of 10.42m (34.20ft.) whereas Bylaw 0225-2007, as amended, permits a maximum height of 3.00m (9.84ft.) in this instance.

**Comments:**

The minor variance does not impact the Authority's interests in this case; as such CVC has **no objection** to the approval of this application by the Committee at this time. CVC staff are currently reviewing the application through a Site Plan application (SPI 16/051) and other outstanding CVC concerns are to be addressed through this process. A CVC permit is required for the development as proposed."

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Brown and having reviewed the plans and comments from City staff, 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 shall 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 July 21, 2016.

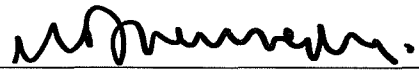
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **August 10, 2016**.

Date of mailing is July 25, 2016.

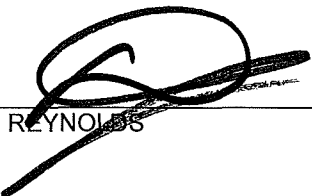
  
S. PATRIZIO


  
D. GEORGE (CHAIR)

ABSENT  
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 July 21, 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

ENZO & NANCY DIFILIPPO

on Thursday, July 14, 2016

ENZO & NANCY DIFILIPPO are the owners of 2218 HARCOURT CRESCENT being Lot 85, Registered Plan 493, zoned R3-75, Residential. The applicants request the Committee to authorize a minor variance to permit the construction of a two (2) storey addition on the existing detached dwelling on the subject property proposing:

1. an exterior side yard of 4.30m (14.11ft.); whereas Bylaw 0225-2007, as amended, requires a minimum exterior side yard of 6.00m (19.68ft.) in this instance,
2. a porch encroachment of 3.30m (10.83ft.) into the required exterior side yard; whereas Bylaw 0225-2007, as amended, permits a maximum encroachment into an exterior side yard of 1.60m (5.25ft.) in this instance,
3. a front yard of 4.80m (15.75ft.); whereas Bylaw 0225-2007, as amended, requires a minimum front yard of 6.00m (19.68ft.) in this instance,
4. a porch encroachment of 2.20m (7.22ft.) into the required front yard; whereas Bylaw 0225-2007, as amended, permits a maximum encroachment into the required front yard of 1.60m (5.25ft.) in this instance; and,
5. an exterior side yard of 0.40m (1.31ft.) to the existing accessory structure (pool shed); whereas Bylaw 0225-2007, as amended, requires a minimum exterior side yard of 6.00m (19.68ft.) in this instance.

Mr. R. Stubbs, authorized agent attended and presented the application to permit a single storey extension and a second storey addition to the existing single storey dwelling. Mr. Stubbs presented a site plan drawing and indicated he is requesting relief for the front and side yard setbacks for the proposed addition as well as a setback variance to the existing pool shed. Mr. Stubbs explained that the addition will be to provide the home owners with additional living space to accommodate an aging family member.

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

The City of Mississauga Planning and Building Department commented as follows (July 12, 2016):

### "Recommendation

The Planning and Building Department has no objection to the requested variances; however, the applicant may wish to defer the application to submit additional information through the Building Permit application to ensure that no further variances are required.

### Background

**Mississauga Official Plan**

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density I

**Zoning By-law 0225-2007**

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

**Other Applications:**

Building Permit File: PREAPP 16-0460

**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 application, we advise that the variances are correct as applied for; however, more information is required to verify the height of the dwelling and to determine whether additional variances will be required.

**Planning**

The proposed additions to the dwelling will maintain existing building setbacks in the exterior side yard and build the second storey on top of the existing bungalow footprint. The functional front of the dwelling is in the exterior side yard. The portion of the addition that extends into the front yard is a single storey in height and should not have a significant impact on the streetscape. Further, there is existing mature vegetation in the front yard that screens the dwelling and the proposed addition and porch. The proposed porches in both the front and exterior side yard are also small in scale. The variances for the porch encroachments are required partially as a result of the reduced setbacks to the dwelling from the lot line.

The existing accessory pool shed complies with the height and Gross Floor Area (GFA) requirements of the Zoning By-law and is mostly screened from the street by the fence which surrounds the yard. Although the exterior side yard isn't generally a desirable location for an accessory structure, there is vegetation which screens the structure from the neighbouring property and given its modest size, we are of the opinion that it does not create a negative aesthetic condition. The general intent of the Zoning By-law is maintained in ensuring that accessory structures are of an appropriate size relative to the lot, dwelling, and 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 submit additional information through the Building Permit application to ensure that no further variances are required."

The City of Mississauga Transportation and Works Department commented as follows (July 7, 2016):

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

The City of Mississauga Community Services Department commented as follows (July 11, 2016):

"The Park Planning Section of the Community Services Department has reviewed the above noted minor variance application and advise as follows:

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

1. One (1) Birch Tree – good condition
2. One (1) Cedar Tree – good condition

Should the application be approved, this Department wishes to impose the following conditions, as the property is not subject to the Site Plan process:

1. The applicant shall provide tree protection securities in the amount of \$1,710.00 for the above noted trees.
2. The applicant shall provide horizontal tree hoarding to the dripline of the above noted trees to the satisfaction of City of Mississauga Forestry Staff. Please call Ryan Cormier at 905-615-3200 ext. 4580 to arrange a hoarding inspection.

In addition, this Department notes the following:

1. Payment of tree preservation securities can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West."

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

"We have no comments or objections to the following application A295/16."

An email was received from W. Clements, of 2243 Harcourt Crescent expressing concerns about the large size of the proposed addition which may set a precedent for more large homes to be constructed.

An email was received from S. Cooper of 2217 Bartlett Lane expressing concerns about future potential of having two separate units within the home as well as the extent of the addition in the front yard. Mr. Cooper indicated that he does not oppose an expansion to the existing dwelling but felt the extent of the variances being requested are excessive.

Ms. B. Wojna, property owner at 2192 Harcourt Crescent, attended and presented her families concerns about the application. Ms. Wojna presented several photographs of their home in relation to the subject property and the impacts that they are concerned about with respect to privacy, overshadowing, loss of views and the excessive front yard addition that is not in keeping with the character of the neighbourhood. Ms. Wojna presented photographs of other corner lots that have been recently renovated or newly built to illustrate that they have all respected the front yard setbacks.

Ms. N. DiFilippo, property owner and applicant, attended and explained that she has been a long time resident of the area and needs additional space on the ground floor to allow her mother in law to move in with them. Ms. DiFilippo understands her neighbours concerns but believes that the proposed addition is in keeping with the neighbourhood. Ms. DiFilippo explained that the addition was intended to be kept modest by limiting the expansion to only a single storey. Ms. DiFilippo also clarified that the second storey balcony is only for aesthetic purposes.

No other persons expressed any interest in the application.



## MISSISSAUGA

File: "A" 295/16  
WARD 1

Mr. Stubbs, after hearing the comments of the Committee, the Planning and Building Department and Ms. Wojna, indicated that the applicant would be willing to remove variance requests #3, and #4. Mr. Stubbs requested that the application be amended accordingly.

The Committee consented to the request and, after considering the submissions put forward by Mr. Stubbs and having reviewed the plans and comments received from City staff, and the area neighbours, is satisfied that the amended request is desirable for the appropriate further development of the subject property.

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of a one (1) storey addition and second storey addition to the existing detached dwelling on the subject property proposing:

1. an exterior side yard of 4.30m (14.11ft.); whereas Bylaw 0225-2007, as amended, requires a minimum exterior side yard of 6.00m (19.68ft.) in this instance,
2. a porch encroachment of 3.30m (10.83ft.) into the required exterior side yard; whereas Bylaw 0225-2007, as amended, permits a maximum encroachment into an exterior side yard of 1.60m (5.25ft.) in this instance; and,
3. an exterior side yard of 0.40m (1.31ft.) to the existing accessory structure (pool shed); whereas Bylaw 0225-2007, as amended, requires a minimum exterior side yard of 6.00m (19.68ft.) in this instance.

The decision is subject to the following condition:

1. There shall be no balcony permitted on the second floor addition.

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


Dated at the City of Mississauga on July 21, 2016.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **August 10, 2016**.

Date of mailing is July 25, 2016.

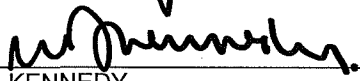


S. PATRIZIO

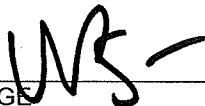


D. GEORGE (CHAIR)

ABSENT  
J. ROBINSON



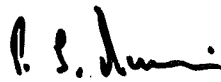
D. KENNEDY



J. PAGE

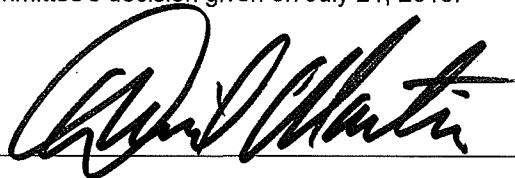


D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on July 21, 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

PETER MURDOCH & LORIE LELIEVER

on Thursday, July 14, 2016

Peter Murdoch & Lorie Leliever are the owners of 1261 Stavebank Road being Part of Lots 16 & 17, Registered Plan C-10, zoned R1-1, Residential. The applicants request the Committee to authorize a minor variance to permit the construction of an addition to the existing dwelling on the subject property proposing a front yard of 6.39m (20.96ft.); whereas Bylaw 0225-2007, as amended, requires a minimum front yard of 9.00m (29.52ft.) in this instance.

Mr. D. Smith, authorized agent, attended and presented the application to permit a small single storey addition. Mr. Smith indicated that the proposal requires a front yard setback variance. Mr. Smith presented a site plan and photographs of the existing car port that is to be demolished and replaced by the single storey addition.

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

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

### "Recommendation

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

### Background

#### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density I

#### Zoning By-law 0225-2007

Zoning: R1-1 (Residential)

#### Other Applications:

Building Permit Application File: PREAPP 16-1278

### 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 application, the variances, as requested are correct.

### **Planning**

The requested variance is for an addition that is modest in scope and is setback further than requested along the majority of the width of the addition. The addition does not run along the entire front wall of the dwelling and the existing main wall of the dwelling is further setback from the lot line and complies with the Zoning By-law requirement. There should not be any negative impact on the streetscape or neighbouring properties as a result of the reduced setback variance,

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

The City of Mississauga Transportation and Works Department commented as follows (July 7, 2016):

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

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

"We have no comments or objections to the following application A296/16."

The Credit Valley Conservation commented as follows (July 7, 2016):

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

### **Site Characteristics:**

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

As you may be aware, the site is within the City of Mississauga's Natural Heritage System designated as part of the Residential Woodland (M14).

### **Ontario Regulation 160/06:**

This property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of Credit Valley Conservation (CVC) (i.e. the issuance of a permit).

### **Proposal:**

The applicant requests the Committee to authorize a minor variance to permit the construction of an addition to the existing dwelling on the subject property proposing a front yard of 6.39 m (20.96 ft.); whereas Bylaw 0225-2007, as amended, requires a minimum front yard of 9.00 m (29.52 ft.) in this instance.

### **Comments:**

The minor variance does not impact the Authority's interests in this case; as such CVC has **No Objection** to the approval of this application by the Committee at this time.

The applicants are to note that the subject property is within the CVC Regulated Area, and any proposed development in the future on this site may require a CVC permit."

No other persons expressed any interest in the application.

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

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

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

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

MOVED BY:	D. Reynolds	SECONDED BY:	D. George	CARRIED
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Application Approved.




Dated at the City of Mississauga on July 21, 2016.

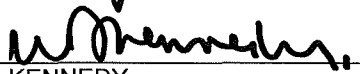
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Date of mailing is July 25, 2016.

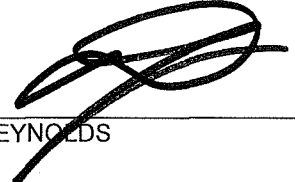
  
S. PATRIZIO


  
D. GEORGE (CHAIR)

ABSENT  
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 July 21, 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

SYEDA MOMNA ZRINAD

on Thursday, July 14, 2016

Syeda Momna Zrinad is the owner of 405 Baggetta Crescent being Block 40, Registered Plan M-837 and Block 89, Registered Plan M-843, zoned R4-22, Residential. The applicant requests the Committee to authorize a minor variance to permit the existing basement entrance to remain on the subject property proposing a side yard of 0.85m (2.79ft.); whereas Bylaw 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) in this instance.

Mr. S. M. Zrinad, property owner, attended and presented the application to permit the existing basement entrance to remain on the subject property. Mr. Zrinad presented a site plan and indicated the side yard variance being requested. He also noted that he has spoken to his neighbours and that they support the application.

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

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

### **"Recommendation**

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

### **Background**

#### **Mississauga Official Plan**

Character Area: Hurontario Neighbourhood  
Designation: Low Density II

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

**Zoning:** R4-22

#### **Other Applications:**

Building Permit Application file 15-4917

### **Comments**

#### **Zoning**

The Building Department is currently processing a building permit application under file 15-4917. Based on review of the information currently available for this building permit, the variances, as requested are correct.

### Planning

The application is requesting a reduced side yard to permit the existing basement entrance. The subject dwelling was constructed in 1989. The exterior basement entrance is located behind the garage and is not visible from the street. The reduced side yard does not run against the entire length of the dwelling. Access to the rear of the property is still maintained. The property is fully fenced, and additional access to the rear is provided on the opposite side of the dwelling. The general intent of the zoning by-law and the official plan are maintained.

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

The City of Mississauga Transportation and Works Department commented as follows (July 7, 2016):

"Enclosed for Committee's easy reference are some photo's which depict the existing basement entrance."

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

"We have no comments or objections to the following application A297/16."

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Zrinad and having reviewed the plans and comments from City staff, is satisfied that the request is desirable for the appropriate further development of the subject property. The Committee expressed that the basement entrance was tastefully built and that the applicant has the support of his neighbours.

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

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

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

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

Dated at the City of Mississauga on July 21, 2016.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **August 10, 2016**.

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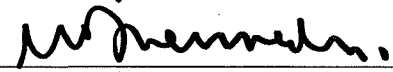


S. PATRIZIO



D. GEORGE (CHAIR)

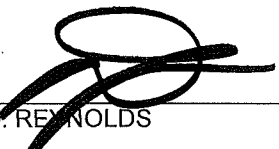
ABSENT  
J. ROBINSON



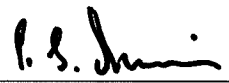
D. KENNEDY



J. PAGE

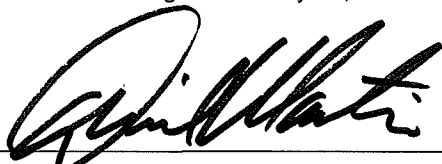


D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on July 21, 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

2449370 ONTARIO INC.

on Thursday, July 14, 2016

2449370 Ontario Inc. is the owner of 2323 Anson Drive being Part of Block B, Registered Plan 43R-4652, zoned E2, Employment. The applicant requests the Committee to authorize a minor variance to permit the establishment of a motor vehicle repair facility - commercial motor vehicle use on the subject property; whereas Bylaw 0225-2007, as amended, indicates that a motor vehicle repair facility - commercial motor vehicle use has been deleted as a permitted use in an E2 Employment zone in this instance.

Mr. D Chhaniyara, authorized agent attended and presented the application. Mr. Chhaniyara indicated that they recently received a zoning certificate for the current towing company including the repair of their own fleet of trucks. Mr. Chhaniyara indicated that there is a significant demand from their customers to also provide repair services in addition to the existing truck towing terminal. Mr. Chhaniyara presented a site plan indicating the minimum amount of parking required to accommodate the additional use.

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

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

### "Recommendation

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

### Background

#### Mississauga Official Plan

Character Area: Northeast Employment Area West  
Designation: Business Employment

#### Zoning By-law 0225-2007

Zoning: E2

#### Other Applications:

#### Comments

#### Zoning

We note that a certificate of occupancy permit application is required. In the absence of a certificate of occupancy permit application we are unable to confirm the accuracy of the

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

The variance should be amended:

The applicant requests the Committee to authorize a minor variance to permit the establishment of a motor vehicle repair facility - commercial motor vehicle use; whereas Bylaw 0225-2007, as amended, does not permit a motor vehicle repair facility - commercial motor vehicle use in an E2 Employment zone in this instance."

### **Planning**

The application is proposing commercial motor vehicle repair as an additional use in conjunction with the existing permitted truck terminal on site. The application does not propose any changes to the building.

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

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

The City of Mississauga Transportation and Works Department commented as follows (July 14, 2016):

"This Department has no objections, comments or requirements with respect to C.A. 'A' 298/16."

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

"We have no comments or objections to the following application A298/16."

No other persons expressed any interest in the application.

Mr. Chhaniyara 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. Chhaniyara and having reviewed the plans and comments received, is satisfied that the amended request is desirable for the appropriate further development of the subject property.

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the establishment of a motor vehicle repair facility - commercial motor vehicle use; whereas Bylaw 0225-2007, as amended, does not permit a motor vehicle repair facility - commercial motor vehicle use in an E2 Employment zone in this instance.

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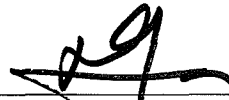
Application Approved, as amended.

Dated at the City of Mississauga on July 21, 2016.

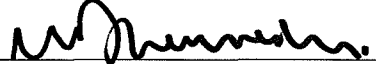
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **August 10, 2016**.

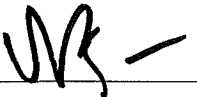
Date of mailing is July 25, 2016.

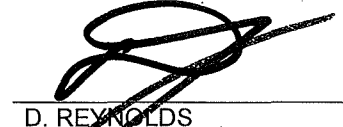
  
S. PATRIZIO

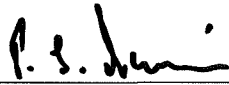
  
D. GEORGE (CHAIR)

ABSENT  
J. ROBINSON

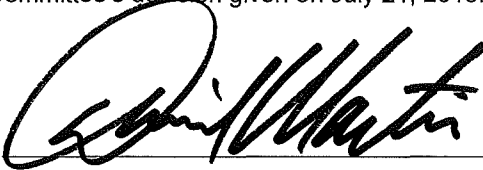
  
D. KENNEDY

  
J. PAGE

  
D. REYNOLDS

  
P. QUINN

I certify this to be a true copy of the Committee's decision given on July 21, 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

TADEUSZ & MIROSLAWA WIERCISZEWSKI

on Thursday, July 14, 2016

Tadeusz & Mirosława Wierciszewski are the owners of 3256 Nobleton Drive being Lot 9, Registered Plan 723, zoned R3, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of an addition to the existing dwelling and to permit the existing accessory structure (shed) and the existing covered basement entrance and the existing driveway to remain having:

1. an interior side yard of 0.84m (2.76ft) to the covered basement entrance; whereas Bylaw 0225-2007, as amended, requires a minimum interior side yard of 1.20m (3.93ft) to a covered basement entrance in this instance,
2. an interior side yard of 0.00m (0.00ft) to an accessory structure (shed); whereas Bylaw 0225-2007, as amended, requires a minimum interior side yard of 0.61m (2.00ft) to an accessory structure in this instance,
3. a rear yard of 0.00m (0.00ft) to an accessory structure (shed); whereas Bylaw 0225-2007, as amended, requires a minimum rear yard of 0.61m (2.00ft) to an accessory structure in this instance,
4. a floor area of 19.50m<sup>2</sup> (209.90ft<sup>2</sup>) for an accessory structure (shed); whereas Bylaw 0225-2007, as amended, permits a maximum floor area of 10.00m<sup>2</sup> (32.80ft<sup>2</sup>) for an accessory structure in this instance,
5. an interior side yard of 0.00m (0.00ft) to an addition (covered passage in side yard); whereas Bylaw 0225-2007, as amended, requires a minimum interior side yard of 1.20m (3.93ft) to a covered passage in this instance; and,
6. a driveway width of 7.27m (23.85ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (19.68ft.) in this instance.

On April 14, 2016, Mr. G. Fiet, authorized agent, attended and presented the application to permit the construction of an addition to the existing dwelling and to permit an existing shed in the rear yard and an existing covered basement entrance in the side yard to remain on the subject property. Mr. Fiet presented a site plan and identified the location of the shed and basement entrance and stated that he has a letter from the applicant's neighbour to the south stating that they had no objection to the construction of these structures in close proximity to the shared property line. Mr. Fiet described the requested variances for the shed and basement entrance. He explained the basement entrance was constructed to provide convenient access to the backyard and the gross floor area of the shed is larger than permitted to meet the storage needs of the applicant.

Mr. Fiet confirmed to the Committee that there is a third accessory structure (enclosed walkway) attached to the dwelling in the side yard which was not identified on the site plan.



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

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

**"Recommendation**

The Planning and Building Department recommend the application be deferred in order for the applicant to submit revised drawings, provide more information regarding the covered side yard structure and request a driveway variance.

**Background**

**Mississauga Official Plan**

Character Area: Applewood Neighbourhood  
Designation: Low Density II

**Zoning By-law 0225-2007**

**Zoning:** R3

**Other Applications:**

BP 9ALT 14/3188 Addition, balcony, accessory structure

**Comments**

**Zoning**

The Planning and Building Department is currently processing a building permit application for the proposed addition and alteration under file 14-3118. Based on the review of the building permit application we advise that more information is required to verify the accuracy of the requested variance or determine whether additional variances will be required.

Further clarification required as the accessory structure as per the drawings in the building permit file appear to be two (2) structures under one roof. Multiple sheds/accessory structures will require additional variances. Revised drawings are required.

**Planning**

The requested variance #1 regarding the covered basement entrance is not visible from the street, does not impact the streetscape, and does not prevent access to the rear of the property. The Planning and Building Department have no objection to this variance.

Variances #2 and #3 request 0.00m interior side yard and rear yard set back to the accessory structure.

Variance #4 requests a floor area of 19.50m<sup>2</sup> for an accessory structure. In our opinion, the request is minor due to the relatively large size of the rear yard, and modest size of the existing dwelling. Furthermore, it does not affect lot coverage.

However, the site plan needs to accurately reflect the covered side yard structure and the dimensions of the driveway.

The Planning and Building Department recommend the application be deferred in order for the applicant to submit revised drawings, provide more information regarding the covered site yard structure, and request a driveway variance."

The City of Mississauga Transportation and Works Department commented as follows (April 7, 2016):

"Enclosed for Committee's information are photos which depict the subject property, in particular the covered basement entrance and accessory structure. With regards to the covered basement entrance some of the roof drainage is directed onto the abutting property to the west, however, the abutting neighbour has also constructed structures where their drainage is directed onto the subject property. In view of the above we assume that there are no drainage related issues between the neighbours.

With regards to the accessory structure at the rear, the owner has equipped the structure with an eavetrough and the downspout is directed onto their property with no impact on the abutting lands. It should also be noted that the property to the rear is a municipal park where we observed no drainage related issues."

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

"We have no comments or objections."

The Ministry of Transportation commented as follows (April 1, 2016):

"These lands are outside the ministry permit control area. Therefore, we have no concerns or comments to offer, and permits will not be required."

An email was received from M. & S. Cook of 3292 Nobleton Drive expressing objection to the requested variances. They believe the current condition of the property with the changes that have already been made is taking away from the quaint charm of the neighbourhood. They are concerned with the driveway width being too large, a lack of privacy with a veranda on top of the rear addition, the shed in the rear yard being too large and the importance of maintaining the required setbacks around the entire property.

No other persons expressed any interest in the application.

Mr. Fiet, upon hearing the comments of the Committee, the Planning and Building Department, and Transportation and Works Department, requested that the application be deferred to allow additional time for the plans to be revised to include all accessory structures and driveway width and address the comments and concerns raised by Staff and the Committee.

The Committee consented to the request and deferred the application to May 19, 2016.

On May 19, 2016, the application was called and no one attended to present the application.

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

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

### **"Recommendation**

The Planning and Building Department recommends the application be deferred in order for the applicant to submit revised drawings, provide additional information, and to redesign the driveway.

### **Background**

#### **Mississauga Official Plan**

Character Area: Applewood Neighbourhood

Designation: Low Density II

**Zoning By-law 0225-2007**

Zoning: R3

**Other Applications:**

BP 9ALT 14/3118 Addition, balcony, accessory structure

**Comments**

**Zoning**

The Planning and Building Department has not received revised a new submission. Zoning is processing a building permit application for the rear addition, balcony, and accessory structure (rear shed) under file 14-3118.

**Planning**

At the April 14, 2016 hearing, the Planning and Building recommended deferral in order for the applicant to provide additional information. The applicant has discussed intentions with staff, but has not submitted a satisfactory submission. The comments from the previous hearing remain the same.

In light of these discussions, the "proposed metal roof covered passage" as indicated on the site plan would be considered an addition to the dwelling due to the access to the basement entrance. This structure is not included in the permit drawings, therefore the intentions are unclear. The Planning and Building Department does not support this structure. Furthermore, the driveway variances have not been captured and are not supported.

If the Committee see merit in the application, the Planning and Building Department has no objection the variances requested as of May 17, 2016, but recommends refusal for additional variances.

Alternatively, the Planning and Building Department recommends the application be deferred in order for the applicant to submit revised drawings, provide additional information, and to redesign the driveway."

The City of Mississauga Transportation and Works Department commented as follows (May 1, 2016):

"Please refer to our comments submitted for the February 23, 2016 hearing of this application as those comments are still applicable."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (May 16, 2016):

"We have no comments or objections."

Mr. R. Kablys, property owner at 3302 Nobleton Drive, attended and expressed his objection to the application noting that the applicant has constructed a roof-top patio on his property. Mr. Kablys indicated that he contacted the Building Department and a Stop Work Order was issued. Mr. Kablys expressed concerns with respect to the roof-top patio and its effect on his privacy. He also expressed concerns with respect to the use of the accessory structures.

No other persons expressed any interest in the application.

Mr. R. Ruggiero, Planner with the City of Mississauga, attended and indicated that the applicant's agent forwarded drawings to him; however, the drawings have not been reviewed by the Building Department. He noted that the metal roof addition will not be considered as an accessory structure by the Zoning Section; they will be reviewing the structure as an addition.

The Secretary-Treasurer advised that he has discussed the application many times with the authorized agent. He advised that the applicant submitted a revised site plan and list of variances; however, it was not reviewed by the Zoning Section. Consequently, the Secretary-Treasurer advised that he is unsure as to whether any additional variances will be required. He noted that the metal roof addition has been applied for as an accessory structure and not as a building addition. The Secretary-Treasurer advised that the revised information arrived too late for an Amended Notice to be circulated for review to meet legislative requirements.

The Committee deliberated deferring the application or adjudicating the current application and decided to defer the application to give the applicant an opportunity to discuss the application further with staff to finalize the request.

The application was deferred to July 14, 2016.

On July 14, 2016, Mr. G. Fiet, authorized agent, attended and presented the application. He presented a site plan and identified the six requested variances. He indicated that the garden shed was constructed right on the property lines and is almost twice the size allowed by the Zoning By-law. Mr. Fiet noted that variance #5 is for a covered passage in the side yard which is considered an addition. Mr. Fiet concluded by indicating that all the variances are supported by the neighbour and that the applicant is willing to reduce the driveway width to 7.27m (23.85ft.).

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

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

#### **"Recommendation**

The Planning and Building Department has no objection to the requested variances 1, 2, 3, 4, and 6, but recommend that variance 5 be refused.

#### **Background**

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

Character Area: Applewood Neighbourhood  
Designation: Low Density II

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

Zoning: R3

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

BP 9ALT 14/3118 Addition, balcony, accessory structure

#### **Comments**

##### **Zoning**

The Planning and Building Department is currently processing a building permit application for the proposed addition and alteration under file 14-3118. Based on the review of the building permit application we advise that more information is required to verify the

accuracy of the requested variance or determine whether additional variances will be required.

Comments provided as per last meeting still remain applicable.

### **Planning**

At the May 19 hearing, the Planning and Building Department recommended deferral in order for the applicant to provide additional information and revised drawings. The applicant has provided revised drawings, including a reduced driveway width request.

The requested variance #1 regarding the covered basement entrance is not visible from the street, does not impact the streetscape, and does not prevent access to the rear of the property. Additional access is maintained through the easterly side yard. The Planning and Building Department have no objection to this variance.

Variances #2 and #3 request 0.00m interior side yard and rear yard set back to the accessory structure. The accessory structure is completely shielded by a wood privacy fence as well as deciduous trees and bushes. The rear of the property backs on to a city park. The accessory structure is an existing condition and does not require a height variance.

Variance #4 requests a floor area of 19.50m<sup>2</sup> for an accessory structure. In our opinion, the request is minor due to the relatively large size of the rear yard, and modest size of the existing dwelling. Furthermore, it does not affect lot coverage.

Variance #5 requests an interior side yard of 0.00m to an addition (covered passage) to the dwelling. While the condition is longstanding, the Planning and Building Department does not support an addition to the dwelling that extends to the lot line. The addition is visible from the street, does not maintain the character of the neighbourhood, and does not provide adequate separation distance to the neighbour. By not providing any side yard setback to the dwelling, the general intent of the zoning by-law is not maintained.

Variance #6 requests a driveway of 7.27m. Staff has consulted with the applicant and are satisfied with the current proposal. Previously the driveway extended to the lot line, and provided parking for four vehicles parked side by side across the front of the dwelling. The general intent of the zoning by-law and official plan are maintained by the reduced driveway width.

The Planning and Building Department has no objection to the requested variances 1, 2, 3, 4, and 6, but recommend that variance 5 be refused."

The City of Mississauga Transportation and Works Department commented as follows (July 7, 2016):

"This department has no objections to the proposed revisions which have been indicated in the Amended Notice and Site Plan recirculated by the Committee of Adjustment office on June 29 2016."

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

"We have no comments or objections to the following application A135/16."

A letter was received from S. Barna, of 3262 Nobleton Drive expressing concern about the widened driveway and the excessive number of cars that can park on it. Ms. Barna also noted concerns about the covered passage structure and drainage concerns associated with it. She also noted that the size of the shed is excessive and would set a precedence for others to build larger than permitted sheds. Ms. Barna indicated concerns about the infringement of her privacy with the second storey balcony.

Mr. Fiet, after hearing the comments of the Committee and City staff, requested the application wording be amended in accordance with their recommendations.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Fiet and having reviewed the plans and comments from City staff, is satisfied that variance requests #1,2,3,4, and 6 are desirable for the appropriate further development of the subject property. The Committee expressed a concern with the structural integrity of the covered walkway structure in the side yard and did not think it was appropriate to be constructed on the property line. The Committee agreed with Planning staff's recommendation and resolved to deny variance request #5 relating to the covered walkway structure in this instance.

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of an addition to the existing dwelling and to permit the existing accessory structure (shed) and the existing covered basement entrance and the existing driveway to remain having:

1. an interior side yard of 0.84m (2.76ft) to the covered basement entrance; whereas Bylaw 0225-2007, as amended, requires a minimum interior side yard of 1.20m (3.93ft) to a covered basement entrance in this instance,
2. an interior side yard of 0.00m (0.00ft) to an accessory structure (shed); whereas Bylaw 0225-2007, as amended, requires a minimum interior side yard of 0.61m (2.00ft) to an accessory structure in this instance,
3. a rear yard of 0.00m (0.00ft) to an accessory structure (shed); whereas Bylaw 0225-2007, as amended, requires a minimum rear yard of 0.61m (2.00ft) to an accessory structure in this instance,
4. a floor area of 19.50m<sup>2</sup> (209.90ft<sup>2</sup>) for an accessory structure (shed); whereas Bylaw 0225-2007, as amended, permits a maximum floor area of 10.00m<sup>2</sup> (32.80ft<sup>2</sup>) for an accessory structure in this instance; and,
5. a driveway width of 7.27m (23.85ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (19.68ft.) in this instance.

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

Dated at the City of Mississauga on July 21, 2016.


THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **August 10, 2016**.


Date of mailing is July 25, 2016.

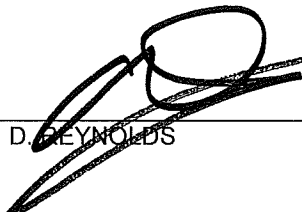
  
S. PATRIZIO

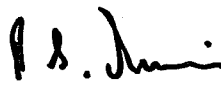
  
D. GEORGE (CHAIR)

ABSENT  
J. ROBINSON

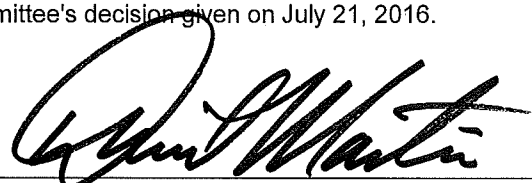
  
D. KENNEDY

  
J. PAGE

  
D. REYNOLDS

  
P. QUINN

I certify this to be a true copy of the Committee's decision given on July 21, 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

TANIYA & VIJAY MANN

on Thursday, July 14, 2016

Taniya & Vijay Mann are the owners of 93 Cumberland Drive being Lot 231 Plan H-21, zoned R15-8, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new Pergola on the subject property providing:

1. an occupied floor area of 24.60m<sup>2</sup> (264.83sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum occupied floor area of 10.00m<sup>2</sup> (107.64sq.ft.) in this instance;
2. a total perimeter to be enclosed by walls, lattice, doors or windows of 28.80%; whereas By-law 0225-2007, as amended, permits a total perimeter to be enclosed by walls, lattice, doors or windows of 0.00% in this instance; and,
3. a height of 3.56m (11.67ft.); whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (9.84ft.) in this instance.

On June 23, 2016, Ms. K. Czaplinska, authorized agent, attended and advised that revised plans have been submitted as the property owner has requested that the height of pergola be increased. Ms. Czaplinska requested that the application be deferred to allow an opportunity for an Amended Notice to be circulated.

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 has no objection to the requested variance; however, the applicant may wish to defer the 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: Port Credit Neighbourhood (East)  
Designation: Residential Low Density I

#### Zoning By-law 0225-2007

Zoning: R15-8 (Residential)

Other Applications:



N/A

#### Comments

#### Zoning

A Building Permit application is not required in this instance. Based on the plans submitted with the application, we are unable to confirm the accuracy of the requested variances or determine whether any additional variances will be required.

#### Planning

The proposed pergola is to be located on a portion of the deck in the rear yard of the subject property. The lot is large enough that it could reasonably accommodate a larger than permitted accessory structure without negative impacts to the neighbours. The proposed setback from the side lot line is approximately twice the required setback and maintains adequate separation distance. The applicant is also not proposing a height variance so the impact of the massing of the structure will be limited. Further, pergolas generally have less of a massing impact on neighbouring properties than gazebos or standard accessory structures. Although the applicant is proposing to enclose a portion of the structure in variance #2, the enclosure does not cover a significant portion of the structure and should not significantly change any impacts of the proposed increased Gross Floor Area (GFA).

Based on the preceding information, the Planning and Building Department has no objection to the requested variance; however, the applicant may wish to defer the 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 (June 16, 2016):

"This Department has no objections to the applicant's request to permit the construction of a new pergola."

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 M. and P. Radan, property owners at 89 Cumberland Drive, expressing opposition to the application and noting their comments and concerns regarding visible and audible encroachment. They requested that the applicant should construct in accordance with the By-law.

A letter was received from A.G. Clark and M. Howes Clark, residents at 43 Onaway Road, indicating the pergola is under construction and is located close to their property. They requested that written confirmation be given to the Committee that the structure shall not be solidly roofed, nor later connected to the house.

A letter was received from A. Ahmad, property owner at 92 Cumberland Drive, expressing no objection to the application.

No other persons expressed any interest in the application.

The Committee consented to the request and the application was deferred to July 14, 2016.

On July 14, 2016, Ms. K. Czaplinska, authorized agent, attended and presented the application. She presented some photographs of other Pergolas with drapery and explained that the applicant is proposing to provide some drapery around the Pergola

structure to address the privacy concerns some of the neighbours had identified. Ms. Czaplinska presented a floor plan of the Pergola and explained that the Zoning By-law permits a maximum floor area of 10.00m<sup>2</sup> (107.64sq.ft.) which is not adequate to allow enough space for a 10 person dining table that the applicants wish to have under the Pergola. Ms. Czaplinska also presented photographs of Pergola's with provisions for sun and light rain protection which the applicant is considering to implement with a retractable awning. Ms. Czaplinska indicated that the additional height requested is to allow for the Pergola to have a flat slopped pitched roof which would allow any water to run off the awning. She also noted that there would be no impact by the Pergola structure to the neighbouring property to the east.

Ms. Czaplinska, addressed Mr. Clarks written comments and indicated that the posts for the Pergola were installed during the construction of the deck and that no construction of the Pergola had been made. Ms. Czaplinska confirmed that the applicants have no intentions to connect the Pergola roof structure to the existing house nor is it possible to do so without creating insufficient head room.

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

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

#### **"Recommendation**

The Planning and Building Department has no objection to the requested variance; however, the applicant may wish to defer the 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: Port Credit Neighbourhood (East)  
Designation: Residential Low Density I

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

Zoning: R15-8 (Residential)

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

N/A

##### **Comments**

##### **Zoning**

N/A

##### **Planning**

The Planning and Building Department previously commented on this application for the June 23, 2016 Committee of Adjustment hearing. The application was deferred to allow for the recirculation of the notice with an additional variance. Our comments from the previous hearing remain applicable."

The City of Mississauga Transportation and Works Department commented as follows (July 7, 2016):

"Please refer to our comments submitted for the June 23, 2016 hearing of this application as those comments are still applicable."

A letter was received from G. Clark, of 43 Onaway Road, indicating that they have no objection to anyone building a deck or pergola in their garden but that they expect the construction to adhere to at least the intent of the Zoning By-law.

An email was received from P. & M. Radan, of 89 Cumberland Drive, expressing objections regarding audible and visual intrusions growing around their backyard seemingly without end. Their concern with the application is that such a large enclosed, covered structure opens the door to an ever increasing noise level with all the activities that could potentially take place in such a space.

An email was received from B. Fierheller and J. Manning, of 39 Onaway Road expressing their full opposition to the requested variances. They indicated that the square footage of the proposed structure is more than double that permitted by the Zoning By-law which is totally unacceptable. They also indicated concerns with drainage and increased risk of flooding in their backyard.

Mr. Clark, property owner at 43 Onaway Road, attended and explained that given the recent changes with new building regulations that the applicants should have been aware of the Zoning By-law requirements. Mr. Clark also expressed concern about the potential for the Pergola structure to be covered with a roof at a later date. Mr. Clark further noted that the location of the Pergola supports is in line with the house and that he is concerned that the Pergola structure may be connected to the house at a later date as well.

No other persons expressed any interest in the application.

Ms. Czaplinska, after hearing the comments of the Committee, the Planning and Building Department, and Transportation and Works Department, requested that variance #2 be withdrawn.

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

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

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

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

1. an occupied floor area of  $24.60\text{m}^2$  (264.83sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum occupied floor area of  $10.00\text{m}^2$  (107.64sq.ft.) in this instance; and,
2. a height of 3.56m (11.67ft.); whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (9.84ft.) in this instance.

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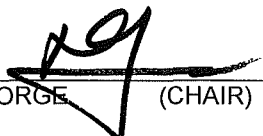
Application Approved, as amended.

Dated at the City of Mississauga on July 21, 2016.

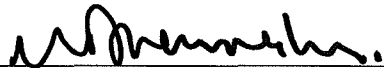
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **August 10, 2016**.

Date of mailing is July 25, 2016.

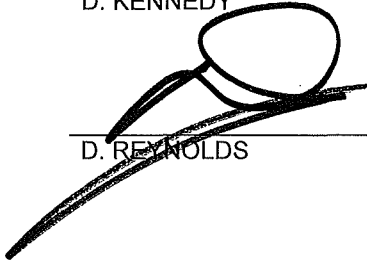
  
S. PATRIZIO

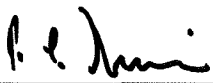
  
D. GEORGE (CHAIR)

ABSENT  
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 July 21, 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.