

COMMITTEE OF ADJUSTMENT  
AGENDA



Location: COUNCIL CHAMBER

Hearing: JUNE 9, 2016 AT 1:30 P.M.

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

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

A-115/16	6957447 ONTARIO INC.	919 KAMATO RD	5	Approved
A-116/16	6957447 ONTARIO INC.	925 KAMATO RD	5	Approved
A-128/16	ZORAN PROPERTIES INC.	1855 DUNDAS ST E	3	Approved
A-157/16	GURSHARAN WALIA & HARPAL WALIA	5198 ADOBE CRT	10	Approved
A-158/16	MAHA KAMEL & ADOLF AZIZ	3290 ERIN CENTRE BLVD	10	Withdrawn
A-159/16	BISHOY NASRALLA	3282 ERIN CENTRE BLVD	10	Withdrawn
A-160/16	GEORGE NASRALLA	5249 ADOBE CRT	10	Withdrawn
A-162/16	AMJAD AL-MODAFER	3294 ERIN CENTRE BLVD	10	Withdrawn
A-163/16	ISIS & RAMZY GUIRGUIS	5217 ADOBE CRT	10	July 14
A-164/16	HUSINE WAHAB	5225 ADOBE CRT	10	Approved
A-167/16	PERVEZ IQBAL SHAIKH & FOWZIA SHAIKH	5276 ADOBE CRT	10	Approved
A-169/16	LESLIE LEE	872 HAMPTON CRES	1	Approved
A-170/16	EHAB BALLAN	5260 ADOBE CRT	10	Approved
A-173/16	CAMERON PIKUL	57 WESLEY AVE	1	Approved
A-176/16	DANIEL & MARITA PINEDA	5221 ADOBE CRT	10	Withdrawn

## 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

6957447 ONTARIO INC.

on Thursday, June 9, 2016

6957447 Ontario Inc. is the owner of 919 Kamato Road being Part of Block B, Registered Plan M-218, zoned E2-19, Employment. The applicant requests the Committee to authorize a minor variance to permit the construction of a mezzanine and an addition connecting the subject building to the building located at 925 Kamato Road proposing:

1. a total of zero (0) accessible parking spaces to be provided on site; whereas By-Law 0225-2007, as amended requires one (1) accessible parking space to be provided on site in this instance; and,
2. a setback of 0.00m (0.00ft.) to the common property line; whereas By-law 0225-2007, as amended, states:
  - a. if the lot frontage is less than or equal to 75.00m (246.06ft.), a minimum setback of 10.00% of the lot frontage or 4.50m (14.76ft.) is required, whichever is greater; or
  - b. if the lot frontage is greater than 75.00m (246.06ft.), a minimum setback of 7.50m (24.60ft.) is required.

On March 24, 2016, Mr. N. Dell, authorized agent, attended and requested the application be deferred to allow time for the pre-zoning application to be reviewed and comments addressed by the applicant.

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

The City of Mississauga Planning and Building Department commented as follows (March 18, 2016):

### **"Recommendation**

The Planning and Building Department has no objection to the requested variance, but the applicant may wish to defer in order to apply for a pre-zoning review application and submit working drawings in order that a detailed zoning review may be completed.

### **Background**

#### **Mississauga Official Plan**

Character Area: Northeast Employment Area West  
Designation: Business Employment

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

**Zoning: E2-19**

**Other Applications:**

Building Permit Required

**Comments**

**Zoning**

We note that a Building Permit is required and in the absence of a Building Permit application, we are unable to verify the accuracy of the requested variance, or determine whether additional variances will be required. In order to confirm the accuracy of the requested variance, the applicant may apply for a pre-zoning review application and submit working drawings in order that a detailed zoning review may be completed.

The variance mentions construction of a mezzanine however there does not appear to be a mezzanine proposed.

The variance requested should be amended to indicate the specific side yard required not just the regulations as written in the Zoning By-law. Based on the review of the building permit application we advise that the variance request should be amended as follows;

To permit the construction of an addition connecting the subject building to the building located at 925 Kamato Road proposing an interior side yard of 0.00 m (0.00 ft.); whereas By-law 0225-2007, as amended, requires a minimum interior side yard of approximately 5.00 m (16.40 ft.) in this instance." The exact requirement cannot be verified until the lot frontage of the property has been provided.

**Planning**

The requested variance is to join two existing industrial buildings. The Planning and Building Department has no objection to the requested variance, but the applicant may wish to defer in order to apply for a pre-zoning review application and submit working drawings in order that a detailed zoning review may be completed."

The City of Mississauga Transportation and Works Department commented as follows (March 17, 2016):

"This department has no objections to the applicant's request to permit the construction of a mezzanine and addition which would connect the subject buildings. We are also noting that any Transportation and Works Department concerns/requirements will be addressed through the Building Permit process."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (March 18, 2016):

"Any changes to the underground or sanitary sewer will require review by the Region of Peel. For more information, please call our Site Servicing Technicians at (905) 791-7800 ext. 7973."

No other persons expressed any interest in the application.

The Committee consented to the request to defer the application to June 9, 2016 or earlier if possible.

On June 9, 2016, Mr. W. Oughtred, a representative of the authorized agent, attended and presented the application. Mr. Oughtred advised that a walkway is being constructed to connect two buildings that are owned by the same company. He explained that variances are required for the setback to the common property line and for parking. Mr. Oughtred indicated that the parking will be shared between the two sites and therefore, sufficient parking is provided.



## MISSISSAUGA

File: "A" 115/16  
WARD 5

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

The City of Mississauga Planning and Building Department commented as follows (June 7, 2016):

### **Recommendation**

The Planning and Building Department has no objection to the application, as amended, but the applicant may wish to defer due to the linked nature of applications 'A' 115/16 and 'A' 116/16.

### **Background**

#### **Mississauga Official Plan**

Character Area: Northeast Employment Area West

Designation: Business Employment

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

Zoning: E2-19

#### **Other Applications:**

### **Comments**

#### **Zoning**

We note that a Building Permit is required and in the absence of a Building Permit application, we are unable to verify the accuracy of the requested variance, or determine whether additional variances will be required. In order to confirm the accuracy of the requested variance, the applicant may apply for a pre-zoning review application and submit working drawings in order that a detailed zoning review may be completed.

#### **Planning**

The application was originally heard at the March 24, 2016 hearing. Since then, applicant applied for a pre-zoning review, and added an additional variance for parking relief. The application is to join two existing industrial buildings.

Variance #1 should be removed from the application, and added to application 'A' 116/16.

Regarding variance #2, the lot frontage is required in order to determine the accuracy of the requested variance. In this case, the application is to connect two existing buildings while maintaining separate ownership of the lots. The variance should be amended as follows: a setback of 0.00m (0.00ft) to the common property line; whereas By-law 0225-2007, as amended, a minimum setback of 10.00% of the lot frontage is required.

The proposed addition is located at the rear of the existing buildings. It is minor in scale, and should have no impact in the immediate area.

The Planning and Building Department has no objection to the application, as amended, but the applicant may wish to defer due to the linked nature of applications 'A' 115/16 and 'A' 116/16.

The City of Mississauga Transportation and Works Department commented as follows (June 2, 2016):

This department has no objections to the applicant's request to permit the construction of a mezzanine and addition which would connect the subject buildings. We are also noting that any Transportation and Works Department concerns/requirements will be addressed through the Building Permit process.

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 3, 2016):

"Any changes to the underground water or sanitary sewer will require review by the Region of Peel."

No other persons expressed any interest in the application.

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

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

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of an addition connecting the subject building to the building located at 925 Kamato Road proposing a setback of 0.00m (0.00ft) to the common property line; whereas By-law 0225-2007, as amended, a minimum setback of 10.00% of the lot frontage is required.

This decision is subject to the following condition:

1. Prior to the issuance of the building permit, a letter shall be received from the Committee of Adjustment indicating that all outstanding deferral fees have been paid.

MOVED BY:	D. George	SECONDED BY:	J. Page	CARRIED
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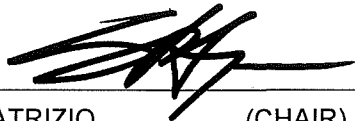
File: "A" 115/16  
WARD 5

Application Approved, as amended, on condition as stated.

Dated at the City of Mississauga on June 16, 2016.

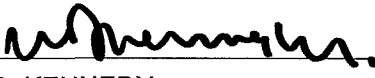
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE JULY 6, 2016.


Date of mailing is June 20, 2016.

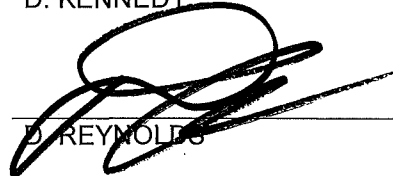
  
S. PATRIZIO (CHAIR)

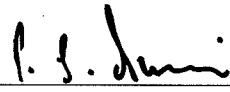
  
D. GEORGE

  
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 June 16, 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  
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IN THE MATTER OF AN APPLICATION BY

6957447 ONTARIO INC.

on Thursday, June 9, 2016

6957447 Ontario Inc. is the owner of 925 Kamato Road being Part of Block B, Registered Plan M-218, zoned E2-19, Employment. The applicant requests the Committee to authorize a minor variance to permit the construction of a mezzanine and an addition connecting the subject building to the building located at 919 Kamato Road proposing:

1. a total of thirteen (13) parking spaces to be provided on site; whereas By-law 0225-2007, as amended, requires a total of eighteen (18) parking spaces to be provided on site in this instance; and,
2. a setback of 0.00m (0.00ft.) to the common property line; whereas By-law 0225-2007, as amended, states:
  - a. if the lot frontage is less than or equal to 75.00m (246.06ft.), a minimum setback of 10.00% of the lot frontage or 4.50m (14.76ft.) is required, whichever is greater; or
  - b. if the lot frontage is greater than 75.00m (246.06ft.), a minimum setback of 7.50m (24.60ft.) is required.

On March 24, 2016, Mr. N. Dell, authorized agent, attended and requested the application be deferred to allow time for the pre-zoning application comments to be received and addressed by the applicant.

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

The City of Mississauga Planning and Building Department commented as follows (March 18, 2016):

**"Recommendation**

The Planning and Building Department has no objection to the requested variance, but the applicant may wish to defer in order to apply for a pre-zoning review application and submit working drawings in order that a detailed zoning review may be completed.

**Background**

**Mississauga Official Plan**

Character Area: Northeast Employment Area West  
Designation: Business Employment

**Zoning By-law 0225-2007**

**Zoning:** E2-19

**Other Applications:**

Building Permit Required

**Comments**

**Zoning**

We note that a Building Permit is required and in the absence of a Building Permit application, we are unable to verify the accuracy of the requested variance, or determine whether additional variances will be required. In order to confirm the accuracy of the requested variance, the applicant may apply for a pre-zoning review application and submit working drawings in order that a detailed zoning review may be completed.

The variance mentions construction of a mezzanine however there does not appear to be a mezzanine proposed.

The variance requested should be amended to indicate the specific side yard required not just the regulations as written in the Zoning By-law. Based on the review of the building permit application we advise that the variance request should be amended as follows;

To permit the construction of an addition connecting the subject building to the building located at 919 Kamato Road proposing an interior side yard of 0.00 m (0.00 ft.); whereas By-law 0225-2007, as amended, requires a minimum interior side yard of approximately 5.00 m (16.40 ft.) in this instance." The exact requirement cannot be verified until the lot frontage of the property has been provided.

**Planning**

The requested variance is to join two existing industrial buildings. The Planning and Building Department has no objection to the requested variance, but the applicant may wish to defer in order to apply for a pre-zoning review application and submit working drawings in order that a detailed zoning review may be completed."

The City of Mississauga Transportation and Works Department commented as follows (March 17, 2016):

"This department has no objections to the applicant's request to permit the construction of a mezzanine and addition which would connect the subject buildings. We are also noting that any Transportation and Works Department concerns/requirements will be addressed through the Building Permit process."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (March 18, 2016):

"Any changes to the underground or sanitary sewer will require review by the Region of Peel. For more information, please call our Site Servicing Technicians at (905) 791-7800 ext. 7973."

No other persons expressed any interest in the application.

The Committee consented to the request to defer the application to June 9, 2016 or earlier if possible.

On June 9, 2016, Mr. W. Oughtred, a representative of the authorized agent, attended and presented the application. Mr. Oughtred advised that a walkway is being constructed to connect two buildings that are owned by the same company. He explained that variances are required for the setback to the common property line and for parking. Mr. Oughtred indicated that the parking will be shared between the two sites and therefore, sufficient parking is provided.



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

The City of Mississauga Planning and Building Department commented as follows (June 7, 2016):

**"Recommendation**

The Planning and Building Department recommends deferral of the application in order for the requested parking relief to be justified.

**Background**

**Mississauga Official Plan**

Character Area: Northeast Employment Area West  
Designation: Business Employment

**Zoning By-law 0225-2007**

**Zoning:** E2-19

**Other Applications:**

**Comments**

**Zoning**

We note that a Building Permit is required and in the absence of a Building Permit application, we are unable to verify the accuracy of the requested variance, or determine whether additional variances will be required. In order to confirm the accuracy of the requested variance, the applicant may apply for a pre-zoning review application and submit working drawings in order that a detailed zoning review may be completed.

**Planning**

This application is linked to 'A' 115/16, 919 Kamato Rd.

The applicant is requesting a variance for parking relief, but has provided no justification. Comments from a similar application, 'A' 413/14 advised that a parking utilization study that satisfactorily justifies the requested reduction in parking is required.

Furthermore, the application should be amended to add the requested variance #1 of application 'A' 115/16:

a total of zero (0) accessible parking spaces to be provided on site; whereas By-law 0225-2007, as amended requires one (1) accessible parking space to be provided on site in this instance,

Regarding variance #2, the lot frontage is required in order to determine the accuracy of the requested variance. In this case, the application is to connect two existing buildings while maintaining separate ownership of the lots. The variance should be amended as follows: a setback of 0.00m (0.00ft) to the common property line; whereas By-law 0225-2007, as amended, a minimum setback of 10.00% of the lot frontage is required.

The proposed addition is located at the rear of the existing buildings. It is minor in scale, and should have no impact in the immediate area.

The Planning and Building Department recommends deferral of the application in order for the requested parking relief to be justified."



## MISSISSAUGA

File: "A" 116/16

WARD 5

The City of Mississauga Transportation and Works Department commented as follows (June 2, 2016):

"This department has no objections to the applicant's request to permit the construction of a mezzanine and addition which would connect the subject buildings. We are also noting that any Transportation and Works Department concerns/requirements will be addressed through the Building Permit process."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 3, 2016):

"Any changes to the underground water or sanitary sewer will require review by the Region of Peel."

No other persons expressed any interest in the application.

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

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

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of an addition connecting the subject building to the building located at 919 Kamato Road proposing:

1. to provide a total of thirteen (13) parking spaces on site; whereas By-law 0225-2007, as amended, requires a minimum of eighteen (18) parking spaces to be provided on site in this instance;
2. a setback of 0.00m (0.00ft) to the common property line; whereas By-law 0225-2007, as amended, requires a minimum setback of 10.00% of the lot frontage in this instance; and,
3. to provide a total of zero (0) accessible parking spaces on site; whereas By-law 0225-2007, as amended, requires one (1) accessible parking space to be provided on site in this instance.

This decision is subject to the following condition:

1. Prior to the issuance of the building permit, a letter shall be received from the Committee of Adjustment indicating that all outstanding deferral fees have been paid.

MOVED BY:	D. George	SECONDED BY:	J. Page	CARRIED
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File: "A" 116/16  
WARD 5

Application Approved, as amended, on condition as stated.


Dated at the City of Mississauga on June 16, 2016.

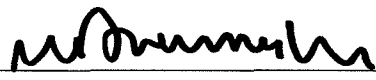
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE JULY 6, 2016.


Date of mailing is June 20, 2016.

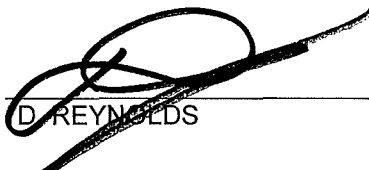
  
S. PATRIZIO (CHAIR)


  
D. GEORGE

  
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 June 16, 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

ZORAN PROPERTIES INC.

on Thursday, June 9, 2016

Zoran Properties Inc. is the owner of 1855 and 1911 Dundas Street East and 3025 Lenworth Drive being Part of Lot 2, Concession 1, N.D.S., and Block B, Plan 680, zoned C3-46, Commercial. The applicant requests the Committee to authorize a minor variance to permit the operation of a restaurant within Units 16B and 17 at 1911 Dundas Street East proposing a total of 343 parking spaces on site; whereas By-law 0225-2007, as amended, requires a minimum of 462 parking spaces in this instance.

On April 7, 2016, Mr. T.J. Cieciora, authorized agent, attended and requested that the application be deferred to allow time for the applicant to provide additional information and justification with respect to the requested parking variance.

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

The City of Mississauga Planning and Building Department commented as follows (April 1, 2016):

### **"Recommendation**

The Planning and Building Department recommend the application be deferred in order for a parking survey or utilization study to be provided.

### **Background**

#### **Mississauga Official Plan**

Character Area: Dixie EA  
Designation: Mixed Use

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

**Zoning:** C3-46

#### **Other Applications:**

- A 258/1 - permit financial establishment within unit 4, providing 5 parking spaces, and a total of 343 parking spaces on site where 16 spaces and a total 403 parking spaces on site are required
- C 15/8433 - Restaurant

## **Comments**

### **Zoning**

The Planning and Building Department is currently processing a Certificate of Occupancy application for the proposed restaurant under file 15-8433. Based on the review of the application we advise that the variance request should be amended as follows;

To permit the operation of a restaurant within units 16B and 17 at 1911 Dundas Street East proposing a total of 343 parking spaces on site; whereas By-law 0225-2007, as amended requires a minimum of 598 parking spaces in this instance.

### **Planning**

According to information submitted with the application, the Zoning Section has determine 598 parking spaces are required whereas 343 park spaces (according to parking allocation report) are provided, which represents a deficiency of 255 spaces. The applicant's consultant has suggested that there is an error in the Zoning Section's calculation and that the required parking should be revised downward to 447 spaces and the parking provided on site should be revised upwards to 386 parking spaces, representing a deficiency of 61 spaces. We note that using either set of figures there is still a parking deficiency which is significant enough to warrant further study.

Although the applicant's consultant noted "that repeated visits have shown parking provided on the site is underused", given the issues identified above, the City requires empirical confirmation that this is the case through a parking survey / utilization study.

The Planning and Building Department recommend the application be deferred in order for a parking survey or utilization study to be provided."

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

"This property is within the vicinity of a private landfill site with M.O.E.C.C. # 7066. It is an inactive landfill located on the northeast corner of Dundas and Dixie."

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the application to June 9, 2016

On June 9, 2016, Mr. B. Kashin, of Design Plan Services Inc., authorized agent, attended and advised that a Parking Utilization Study was submitted for review by staff. Mr. Kashin advised that his clients wish to operate a buffet style restaurant within Units 16B and 17 noting that there will be 270 seats in the restaurant.

Mr. Kashin advised that there are 343 parking spaces provided on site. He indicated that employees will be directed to park their vehicles at the rear of the property so that the parking spaces at the front of the building will be available for customers.

Mr. Kashin indicated that a Parking Study was conducted over two weekends in April and the peak demand for the site was observed as totaling 152 vehicles. He indicated that the proposed restaurant will cause a further demand of 136 parking spaces totalling 288 vehicles. Mr. Kashin indicated that there are 343 parking spaces provided on site and therefore, sufficient parking has been provided on site.

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

The City of Mississauga Planning and Building Department commented as follows (June 6, 2016):

**"Recommendation**

The Planning and Building Department has no objection to the application, as amended, but the applicant may wish to defer in order to submit a site plan to verify additional parking spaces.

**Background**

**Mississauga Official Plan**

Character Area: Dixie Employment Area  
Designation: Mixed Use

**Zoning By-law 0225-2007**

**Zoning:** C3-46

**Other Applications:**

**Comments**

**Zoning**

The Planning and Building Department is currently processing a Certificate of Occupancy application for the proposed restaurant under file 15-8433. Based on the review of the application we advise that the variance request should be amended as follows;

"to permit the operation of a restaurant within units 16B and 17 at 1911 Dundas Street East proposing a total of 343 parking spaces on site; whereas By-law 0225-2007, as amended requires a minimum of 598 parking spaces in this instance"

**Planning**

At the April 7, 2016 hearing the applicant deferred in order to submit a parking study.

The applicant is proposing a large buffet style restaurant within an existing commercial plaza.

The applicant prepared a parking study dated May 2016. The study notes that efficiencies can be found on site which could increase onsite parking by 43 spaces to 386 spaces. This number has not been reviewed by zoning. If the applicant wishes to have the additional parking recognized, they must also provide the additional handicap spaces required to correspond with the increase in spaces and submit a revised site plan for review.

The parking study identified a peak parking demand of 154 spaces for existing uses. The proposed restaurant would require 136 spaces, for a total of 290 spaces. Therefore the current site condition of 343 spaces would adequately accommodate the additional parking requirement.

Based on the preceding, the Planning and Building Department has no objection to the application, as amended, but the applicant may wish to defer in order to submit a site plan to verify additional parking spaces."

The City of Mississauga Transportation and Works Department commented as follows (June 2, 2016):

"This Department has no objections, comments or requirements."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 3, 2016):

"We have no comments or objections."

No other persons expressed any interest in the application.

Mr. Kashin, upon hearing the comments of the Committee and the Planning and Building Department, indicated that he does not wish to amend the application as recommended. He noted that the calculation of required parking was originally 598 parking spaces; however, the figure was inaccurate. Mr. Kashin indicated that he has spoken with the Zoning Examiner and the Minor Variance requested is accurate. He requested that the application proceed.

Mr. R. Ruggiero, Planner with the City of Mississauga, attended and confirmed that the 598 parking space figure was based on an older report.

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

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

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

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

MOVED BY:	D. Reynolds	SECONDED BY:	J. Page	CARRIED
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File: "A" 128/16  
WARD 3

Application Approved.

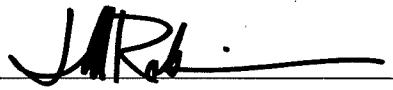
Dated at the City of Mississauga on June 16, 2016.

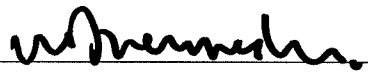
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **JULY 6, 2016**.

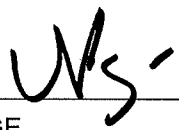
Date of mailing is June 20, 2016.

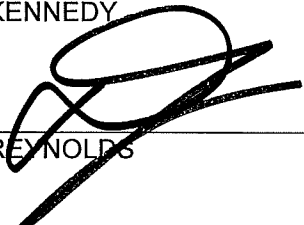
  
S. PATRIZIO (CHAIR)

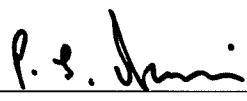
  
D. GEORGE

  
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 June 16, 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

GURSHARAN WALIA & HARPAL WALIA

on Thursday, June 9, 2016

Gursharan Walia & Harpal Walia are the owners of 5198 Adobe Court being Lot 33, Plan M-1753, zoned R6-1, Residential. The applicants request the Committee to authorize a minor variance to permit the existing driveway to remain having a driveway width of 7.32m (24.02ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.10m (20.01ft.) in this instance.

On April 28, 2016, Mr. G. Walia, property owner and his daughter Ms. M. Walia, residents of the subject property attended and presented the application to permit the existing widened driveway to remain. Ms. Walia explained that the driveway was widened in 2013 to accommodate five (5) vehicles that are used by six (6) family members. She indicated that they required more room on the driveway for their grandmother to get in and out of vehicles and that they have many overnight visitors. Ms. Walia further explained that there is a no parking zone in front of their property and that there is a lot of school related traffic in the mornings and afternoons on the surrounding roads. Ms. Walia confirmed to the Committee that they do not use the garage for parking vehicles because it is used to store bicycles and property maintenance equipment. She also confirmed that the portion of the driveway, in front of the porch, is being used as a parking space but that the municipal curb is not being driven over to access this space.

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

The City of Mississauga Planning and Building Department commented as follows (April 26, 2016):

### "Recommendation

The Planning and Building Department recommends refusal of the requested variances.

### Background

#### Mississauga Official Plan

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

#### Zoning By-law 0225-2007

Zoning: R6-1

#### Other Applications:

#### Comments

## **Zoning**

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

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

## **Planning**

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

Wide but shallow perpendicular driveway configurations are not appropriately designed hammerheads and create unsafe conditions. Wide driveways reduce the availability of on-street visitor parking and opportunities for front-yard landscaping. The current driveways result in front yards that consist predominantly, an in many cases entirely, of hard surface areas that emphasize vehicular parking, which does not reinforce or enhance the character of the neighbourhood nor the quality of the streetscape.

Further, we advise that this subdivision was registered as Plan 43M-1607. A warning clause was registered on title of all subject lots advising purchasers of limitations on parking and driveway widths and for additional information to contact the Zoning Section of the City's Planning and Building Department.

Based on the preceding information, the Planning and Building Department recommends refusal of the requested variances."

The City of Mississauga Transportation and Works Department commented as follows (April 21, 2016):

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

The Region of Peel, Environment, Transportation and Planning Services commented as follows (April 22, 2016):

"We have no comments or objections."

A letter was received from the Peel District School Board expressing an interest in the application.

A memorandum was received from Ward Councillor McFadden indicating that since the notification signs were erected on the properties as of April 18 or earlier, she has not received any inquiries or comments on the matter from neighbouring property owners or the community. She indicated that she does not oppose the relief from the existing Zoning By-law with respect to driveway width as requested in the applications.

No other persons expressed any interest in the application.

The Committee voted in favour to refuse the application on the basis that the intent of the Zoning Bylaw is not met as the widened driveway width is excessive and not minor or appropriate for the neighbourhood.

Mr. Walia requested that the Committee defer the application to allow him more time to address their concerns.

The Committee voted in favour of a motion to reconsider the above decision of the Committee out of fairness to the applicant since almost all the other similar driveway widening variances on the same street were deferred.

The Committee consented to the request and deferred the application to June 9, 2016.

On June 9, 2016, Mr. G. Walia, property owner, attended and advised that he has prepared a sketch indicating a proposal to increase the amount of landscaped area on the property. He presented the sketch for the Committee's review and consideration and advised that he intends on removing some of the patterned concrete driveway and returning the area to grass.

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

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

**"Recommendation**

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

**Background**

**Mississauga Official Plan**

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

**Zoning By-law 0225-2007**

**Zoning:** R6-1

**Other Applications:**

**Comments**

**Zoning**

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

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

## Planning

The application was originally heard on April 28, 2016. The applicant has revised the submission and is proposing a reinstatement of soft area landscaping on the municipal boulevard and on the subject site. The requested driveway width is larger than what is permitted, but the Planning and Building department are satisfied that the proposal meets the general intent of the Zoning By-law.

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

The City of Mississauga Transportation and Works Department commented as follows (June 2, 2016):

"Further to our comments submitted for the April 28, 2016 Hearing we are advising that we have no objections to the revised driveway sketch plan circulated by the Committee of Adjustment Office on May 27th which depicts the areas of the driveway to be removed and replaced with sod."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 3, 2016):

"We have no comments or objections."

An e-mail was received from Q. Xu, resident at 5252 Adobe Court, expressing objection to the application and noting comments with respect to safety, aesthetics, and environmental concerns.

No other persons expressed any interest in the application.

Mr. Walia indicated that the landscape garden adjacent to either side of the stairs will remain as garden area. He advised that he contacted a contractor who suggested that it would be more appropriate to cut the driveway where a cut in the driveway already exists. The width of the driveway at this point on the concrete driveway is 7.60m (24.93ft.). Mr. Walia requested that the application be amended accordingly.

The Committee consented to the request.

The Committee, after considering the submissions put forward by Mr. Walia and having reviewed the plans, is satisfied that the amended request is desirable for the appropriate further development of the subject property. The Committee indicated that the reduction in the amount of hard surface area is more in keeping with the intent of the Zoning By-law.

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the existing driveway to be modified and remain having a driveway width of 7.60m (24.93ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.10m (20.01ft.) in this instance.

This decision is subject to the following condition:

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

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

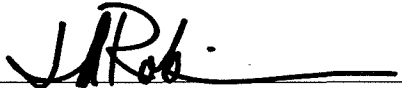
Dated at the City of Mississauga on June 16, 2016.

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 **JULY 6, 2016**.

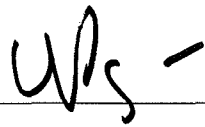
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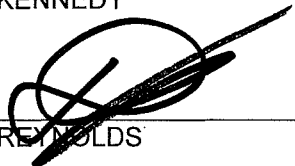
  
S. PATRIZIO (CHAIR)

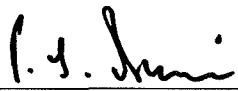
  
D. GEORGE

  
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 June 16, 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

**HUSINE WAHAB**

on Thursday, June 9, 2016

Husine Wahab is the owner of 5225 Adobe Court being Lot 10, Plan M-1753, zoned R6-1, Residential. The applicant requests the Committee to authorize a minor variance to permit the existing driveway to remain having:

1. a driveway width of 10.59m (34.74ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.10m (20.01ft.) in this instance;
2. a setback of 0.00m (0.00ft.) from the driveway to the northerly side property line; whereas By-law 0225-2007, as amended, requires a minimum setback of 0.60m (2.00ft.) from the driveway to the side property line in this instance; and,
3. a setback of 0.00m (0.00ft.) from the driveway to the southerly side property line; whereas By-law 0225-2007, as amended, requires a minimum setback of 0.60m (2.00ft.) from the driveway to the side property line in this instance.

On April 28, 2016, Mr. H. Wahab, property owner, attended and presented the application to permit the existing widened driveway to remain on the pie shaped lot. Mr. Wahab had purchased the house in 2010 and explained his challenges with removing and storing snow on his driveway during the winter months. He indicated that they use one side of their garage to park a motorcycle and store yard maintenance equipment and the other side is used to park one (1) of their four (4) vehicles. They use the driveway to park the other three (3) vehicles. Mr. Wahab indicated that his family received several parking tickets for parking their vehicles on the municipal boulevard or on the street. He further explained that the nearest on-street parking available is near Eglinton Avenue and is not convenient. He also mentioned that implementing on-street parking on Adobe Court would create safety and snow removal issues which would be worse than allowing those vehicles to be parked on widened driveways.

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

The City of Mississauga Planning and Building Department commented as follows (April 26, 2016):

**"Recommendation**

The Planning and Building Department recommends refusal of the requested variances.

**Background**

**Mississauga Official Plan**

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

**Zoning By-law 0225-2007**

**Zoning:** R6-1

**Other Applications:**

**Comments**

**Zoning**

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

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

**Planning**

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

Wide but shallow perpendicular driveway configurations are not appropriately designed hammerheads and create unsafe conditions. Wide driveways reduce the availability of on-street visitor parking and opportunities for front-yard landscaping. The current driveways result in front yards that consist predominantly, and in many cases entirely, of hard surface areas that emphasize vehicular parking, which does not reinforce or enhance the character of the neighbourhood nor the quality of the streetscape.

Further, we advise that this subdivision was registered as Plan 43M-1607. A warning clause was registered on title of all subject lots advising purchasers of limitations on parking and driveway widths and for additional information to contact the Zoning Section of the City's Planning and Building Department.

Based on the preceding information, the Planning and Building Department recommends refusal of the requested variances."

The City of Mississauga Transportation and Works Department commented as follows (April 21, 2016):

"This department is not supportive of the existing driveway as widened, in particular the portion over the City's municipal boulevard area which abuts the municipal sidewalk and would recommend that the application be refused. We are particularly concerned with the widened driveway over the municipal boulevard in the area which abuts the municipal sidewalk as the homeowner could utilize this area for parking a vehicle (sideways) and would likely result in manoeuvring and sight visibility issues for any vehicles exiting the property and not having a clear view of the municipal sidewalk and roadway.

This department is also advising that we are not supportive of the variance requesting a setback of 0.00M (00.00ft) from the driveway to the side property line as we feel the minimum 0.6M required setback could be achieved."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (April 22, 2016):

"We have no comments or objections."

A letter was received from the Peel District School Board expressing an interest in the application.

A memorandum was received from Ward Councillor McFadden indicating that since the notification signs were erected on the properties as of April 18 or earlier, she has not received any inquiries or comments on the matter from neighbouring property owners or the community. She indicated that she does not oppose the relief from the existing Zoning By-law with respect to driveway width as requested in the applications.

A letter was received from M. Mollaei, resident at 5245 Adobe Court, expressing support for the application.

A letter was received from C. & G. Gibson, residents at 5237 Adobe Court expressing objection to the application and noting their concerns with respect to the loss of grass and greenery, too much hard surface area, and possible adverse impact on their property value.

No other persons expressed any interest in the application.

Mr. Wahab, after hearing the comments from Staff and the Committee, requested that the application be deferred to allow more time to address their comments.

The Committee consented to the request and deferred the application to June 9, 2016.

On June 9, 2016, Mr. H. Wahab, property owner, attended and advised that he has made changes to remediate the property. Mr. Wahab indicated that the snow removal is the biggest challenge for him as well as for his neighbour. He indicated that he and his neighbour remove the snow and place it between their houses. Mr. Wahab indicated that the remaining snow is cleared from the driveway and placed in the area towards the rear yard adjacent to the porch area. He advised that the hard surface area is essential for efficient snow removal. Mr. Wahab indicated that there were shrubs adjacent to the driveway; however, they were removed as they made it more difficult to exit the vehicles.

Mr. Wahab presented a site plan for the Committee's review and consideration. He advised that he is requesting a variance to allow a zero setback of the driveway to the side property line, a driveway width of 6.35m (20.93ft.) and a walkway connection of 3.63m (11.90ft.) instead of 1.50m (4.92ft.).

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

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

**"Recommendation**

The Planning and Building Department recommends refusal of the application.

**Background**

**Mississauga Official Plan**

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

**Zoning By-law 0225-2007**

**Zoning:** R6-1

**Other Applications:**



## **Comments**

### **Zoning**

We note that a building permit is not required in this instance. The applicant is advised that a full zoning review has not been completed; however, in reviewing the variance(s) as outlined in this application, it was apparent that the following variance(s) should be amended as follows:

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

### **Planning**

The application was originally heard on April 28, 2016. The applicant provided a new submission on June 3, 2016 which has not been submitted by zoning.

The requested driveway width, 0.00m side setback, and walkway provides excessive hard surface across the entire front of the dwelling, negligible landscaping, and space for three vehicles to be parked across the front of the dwelling, which is not desirable or meeting the intent of the Zoning By-law. The Zoning By-law intends that the width of the driveway be limited to provide space for two vehicles to be parked side by side.

The requested walkway width is not supported because it provides an opportunity to be used for parked vehicles, which is not the intent of the Zoning By-law.

Further, we advise that this subdivision was registered as Plan 43M-1607. A warning clause was registered on title of all subject lots advising purchasers of limitations on parking and driveway widths and for additional information to contact the Zoning Section of the City's Planning and Building Department.

The Planning and Building Department recommends refusal of the application."

The City of Mississauga Transportation and Works Department commented as follows (June 2, 2016):

"Further to our comments submitted for the April 28, 2016 hearing we are advising that we can support the revised driveway sketch circulated by the Committee of Adjustment Office on June 3, 2016 which depicts the areas of the driveway to be modified. The sketch site plan submitted indicates that the widened portion of the driveway within the municipal boulevard area will be reduced and returned to a soft landscape area (preferably a sodded area). Acknowledging that the owner is proposing to re-instate only a 1.0M portion between the municipal sidewalk and the property line, Committee may consider slightly increasing the re-instated area in the area of the exiting tree to ensure that a vehicle cannot be parked sideways. As indicated in our previous comments this department was concerned with any manoeuvring and sight visibility issues for any vehicles parking sideways on the driveway and not having a clear view of the municipal sidewalk and roadway when backing out onto Adobe Court."

The City of Mississauga Community Services Department commented as follows (June 9, 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 Park Planning staff attended the site May 31<sup>st</sup>, 2016, and through assessing our available records found that a City-owned street tree has been damaged and is in poor condition.

As such, this Department recommends refusal of the application.

In addition, this Department notes the following:

1. The applicant is advised that the City may seek restitution for the damage to said tree."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 3, 2016):

"We have no comments or objections.

An e-mail was received from Q. Xu, resident at 5252 Adobe Court, expressing opposition to the application and noting concerns with respect to safety, aesthetics, and environmental concerns.

An e-mail was received from G. and C. Gibson, residents at 5257 Adobe Court, expressing opposition to the application and noting their concerns with respect to safety and noting that the amount of hard surface area and vehicle parking are making the neighbourhood look more like a used car lot than a residential area.

No other persons expressed any interest in the application.

The Committee, upon hearing the Community Services comments, indicated that additional area should be provided to allow the tree to have sufficient space to develop and mature. Mr. Wahab indicated that he has not and would not damage the tree. He indicated that he has no objection to planting trees noting that he has planted four Maple trees on his property.

The Committee indicated that the walkway connection dimension should be reduced from 3.63m (11.90ft.) to 1.50m (4.92ft.) perpendicular to the porch and carried over to the side property line. They advised that this would make the area inaccessible for parking purposes and provide an opportunity for the tree to flourish.

Mr. Wahab requested that the dimension be increased to 2.00m (6.56ft.) to allow sufficient room for him to use the area for snow clearing.

The Committee consented to the request and, after considering the submissions put forward by Mr. Wahab and having reviewed the plans, is satisfied that the amended request is desirable for the appropriate further development of the subject property. The Committee indicated that the reduction in walkway connection width will prevent vehicles from parking in the area in front of the porch addressing concerns with respect to safety. They noted that the increased amount of landscaping will be more in keeping with the intent of the Zoning By-law.

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the existing driveway to remain having:

1. a driveway width of 6.35m (20.83ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.10m (20.01ft.) in this instance;



## MISSISSAUGA

File: "A" 164/16

WARD 10

2. a setback of 0.00m (0.00ft.) from the driveway to the side property line; whereas By-law 0225-2007, as amended, requires a minimum setback of 0.60m (2.00ft.) from the driveway to the side property line in this instance; and,
3. a walkway attached to a driveway with a maximum attachment of 2.00m (6.56ft.); whereas By-law 0225-2007, as amended, permits a walkway attached to a driveway with a maximum attachment of 1.50m (4.92ft.) in this instance.

This decision is subject to the following condition:

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

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

Dated at the City of Mississauga on June 16, 2016.

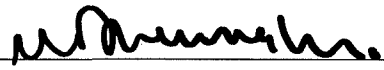
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE JULY 6, 2016.


Date of mailing is June 20, 2016.

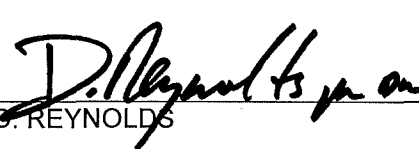
  
S. PATRIZIO (CHAIR)


  
D. GEORGE

  
J. ROBINSON

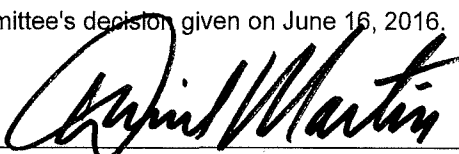
  
D. KENNEDY

  
J. PAGE

  
D. REYNOLDS

  
P. QUINN

I certify this to be a true copy of the Committee's decision given on June 16, 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  
PERVEZ IQBAL SHAIKH & FOWZIA SHAIKH

on Thursday, June 9, 2016

Pervez Iqbal Shaikh & Fowzia Shaikh are the owners of 5276 Adobe Court being Lot 20, Plan M-1753, zoned R6-1, Residential. The applicants request the Committee to authorize a minor variance to permit the existing driveway to remain having:

1. a driveway width of 9.94m (32.61ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.71m (18.73ft.) in this instance; and,
2. an easterly setback of 0.13m (0.42ft.) from the driveway to the side property line; whereas By-law 0225-2007, as amended, requires a minimum setback of 0.60m (2.00ft.) from the driveway to the side property line in this instance.

On April 28, 2016, Mr. M. Shaikh, authorized agent and son of the property owners, attended and presented the application to permit the widened driveway to remain on the subject property. Mr. Shaikh presented a site plan illustrating the extent of the original driveway and described the challenges of entering and exiting the driveway given its awkward alignment with Adobe Court. He indicated that his family owns a total of four vehicles and that the driveway was widened to facilitate the wide turn that is necessary to make when exiting the driveway and not to provide additional parking. Mr. Shaikh showed photographs of the existing widened driveway which included a new planting area on the west side of the driveway that is seen from the adjacent public park access walkway. He also indicated they had issues with the City snow clearing truck going over the far corner driveway curb and scraping the lawn that used to be there prior to widening the driveway.

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

The City of Mississauga Planning and Building Department commented as follows (April 26, 2016):

### "Recommendation

The Planning and Building Department recommends refusal of the requested variances.

### Background

#### Mississauga Official Plan

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

#### Zoning By-law 0225-2007

Zoning: R6-1

**Other Applications:**

**Comments**

**Zoning**

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

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

**Planning**

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

Wide but shallow perpendicular driveway configurations are not appropriately designed hammerheads and create unsafe conditions. Wide driveways reduce the availability of on-street visitor parking and opportunities for front-yard landscaping. The current driveways result in front yards that consist predominantly, in many cases entirely, of hard surface areas that emphasize vehicular parking, which does not reinforce or enhance the character of the neighbourhood nor the quality of the streetscape.

Further, we advise that this subdivision was registered as Plan 43M-1607. A warning clause was registered on title of all subject lots advising purchasers of limitations on parking and driveway widths and for additional information to contact the Zoning Section of the City's Planning and Building Department.

Based on the preceding information, the Planning and Building Department recommends refusal of the requested variances."

The City of Mississauga Transportation and Works Department commented as follows (April 21, 2016):

"Enclosed for Committee's easy reference are some photo's which depict the existing driveway as constructed. This department is also advising that we are not supportive of Variance No. 2 which is requesting an easterly setback of 0.13M (0.42ft) from the driveway to the side property line as we feel that the minimum 0.6M required setback could be achieved."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (April 22, 2016):

"We have no comments or objections."

A memorandum was received from Ward Councillor McFadden indicating that since the notification signs were erected on the properties as of April 18 or earlier, she has not received any inquiries or comments on the matter from neighbouring property owners or the community. She indicated that she does not oppose the relief from the existing Zoning By-law with respect to driveway width as requested in the applications.

No other persons expressed any interest in the application.

Mr. Shaikh, after hearing the comments from Staff and the Committee, requested that the application be deferred to allow more time to address their comments.

The Committee consented to the request and deferred the application to June 9, 2016.

On June 9, 2016, Mr. M. Shaikh, son of the property owner, attended and advised that they have prepared a new sketch to reduce the amount of hard surface area on the property to address the Committee's concerns. Mr. Shaikh advised presented a site plan for the Committee's review and consideration. He advised that they will be reducing the width of the driveway to 6.70m (21.98ft.), removing a portion of the driveway close to the street, and reducing the paved surface area adjacent to the porch.

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

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

**"Recommendation**

The Planning and Building Department recommend the application be deferred to provide more information.

**Background**

**Mississauga Official Plan**

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

**Zoning By-law 0225-2007**

**Zoning:** R6-1

**Other Applications:**

**Comments**

**Zoning**

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

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

**Planning**

The application was originally heard on April 28, 2016. The applicant has provided a revised proposal. More information is necessary to determine the accuracy of the requested variances.

The revised proposal indicates a driveway width of 6.7m, with a walkway fronting the dwelling. More information is necessary in order to properly articulate the requested the walkway. As requested, a driveway of 9.94m is not supported because it provides excessive hard surface, minimal landscaping, which is not desirable or meeting the intent of the Zoning By-law.

However, if the walkway in front of the porch were better distinguished from the parking area, a driveway width of 6.7m may be supportable.

The second variance of 0.13m to the easterly side property line is not supported for the same reasons as above.

Further, we advise that this subdivision was registered as Plan 43M-1607. A warning clause was registered on title of all subject lots advising purchasers of limitations on parking and driveway widths and for additional information to contact the Zoning Section of the City's Planning and Building Department.

The Planning and Building Department recommend the application be deferred to provide more information."

The City of Mississauga Transportation and Works Department commented as follows (June 2, 2016):

"Further to our comments submitted for the April 28, 2016 hearing we are advising that we have no objections to the revised driveway sketch plan circulated by the Committee of Adjustment Office on May 25th which depicts the areas of the driveway to be removed."

The City of Mississauga Community Services Department commented as follows (June 9, 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 Park Planning staff attended the site May 31<sup>st</sup>, 2016, and through assessing our available records found that a City-owned street tree has been removed.

As such, this Department recommends refusal of the application.

In addition, this Department notes the following:

1. The applicant is advised that the City may seek restitution for the loss to said tree."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 3, 2016):

"We have no comments or objections."

An e-mail was received from Q. Xu, resident at 5252 Adobe Court, expressing opposition to the application and noting concerns with respect to safety, aesthetics, and environmental concerns.

No other persons expressed any interest in the application.

The Committee indicated that the amount of hard surface area adjacent to the porch could be treated as a walkway connection if the walkway was 1.50m (4.92ft.) or less.

Mr. Shaikh indicated that he intended on removing the curved hard surface area so that the width of the driveway will not exceed 6.70m (21.98ft.). He requested that the application be amended accordingly.

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

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the existing driveway to be modified and remain having:

1. a driveway width of 6.70m (21.98ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.71m (18.73ft.) in this instance; and,
2. an easterly setback of 0.13m (0.42ft.) from the driveway to the side property line; whereas By-law 0225-2007, as amended, requires a minimum setback of 0.60m (2.00ft.) from the driveway to the side property line in this instance.

This decision is subject to the following condition:

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

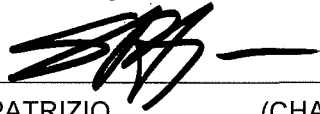
MOVED BY:	J. Robinson	SECONDED BY:	J. Page	CARRIED
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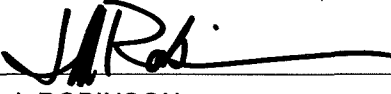
Application Approved, as amended, on condition as stated.


Dated at the City of Mississauga on June 16, 2016.

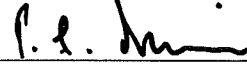
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **JULY 6, 2016**.


Date of mailing is June 20, 2016.

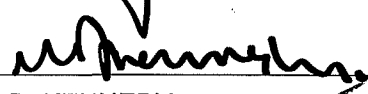
  
S. PATRIZIO (CHAIR)

  
J. ROBINSON

  
J. PAGE

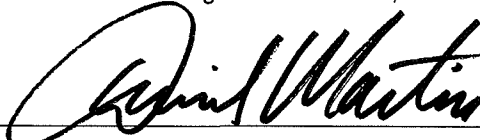
  
P. QUINN

  
D. GEORGE

  
D. KENNEDY

  
D. REYNOLDS

I certify this to be a true copy of the Committee's decision given on June 16, 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

LESLIE LEE

on Thursday, June 9, 2016

Leslie Lee is the owner of 872 Hampton Crescent being Part of Lots 186 and 187, Plan C-19, zoned R3-75, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new detached dwelling proposing:

1. a front yard of 7.10m (23.29ft.) to the front garage face; whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (24.60ft.) to the front garage face in this instance; and,
2. a dwelling height of 10.68m (35.04ft.); whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (24.60ft.) to the top of a flat roof in this instance.

On April 28, 2016, Mr. M. Vieira of Epic Designs Inc., authorized agent, attended and requested that the application be deferred to allow the applicant more time to revise their drawings to address Staff's comments.

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

The City of Mississauga Planning and Building Department commented as follows (April 22, 2016):

### "Recommendation

The Planning and Building Department has no objection to requested variance #1, however we recommend that variance #2 be refused. Further, we are unable to verify the accuracy of the requested variances and the applicant may wish to defer the application in order to apply for the required Building Permit.

### Background

#### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density II, Greenbelt

#### Zoning By-law 0225-2007

Zoning: R3-75 (Residential)

#### Other Applications:

Building Permit File: Required

## Comments

### Zoning

A Building Permit application is required. In the absence of a Building Permit application we are unable to confirm the accuracy of the requested variances or determine whether additional variances may be required. The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

### Planning

Variance #1 represents a relatively minor decrease in front yard setback and it is the Department's position that the request should not have a negative impact on the street line along Hampton Crescent. The front wall of the dwelling will still be roughly equal with the adjacent dwelling.

The requested height increase of 3.77 m (12.37 ft.) over what the by-law permits in variance #2 is not a minor request. Council has recently amended zoning requirements for flat-roof dwellings in order to ensure that new buildings complement the scale and character of surrounding neighbourhoods. There are no three-storey dwellings in the immediate vicinity. An increase of this magnitude beyond the maximum permitted building height does not maintain the general intent of the zoning by-law and is not minor in nature. Planning Staff have considered the applicant's submission that flood control requirements have increased the required elevations, however this does not account for the degree of additional building height being sought.

Based on the preceding information, the Planning and Building Department is of the opinion that variance #2 represents a significant excessive increase in height that is not minor and does not maintain the general intent of the Zoning By-law. We have no objection to variance request #1; however, we are unable to verify the accuracy of the requested variance and the applicant may wish to defer the application in order to apply for the required Building Permit."

The City of Mississauga Transportation and Works Department commented as follows (April 21, 2016):

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

The Region of Peel, Environment, Transportation and Planning Services commented as follows (April 22, 2016):

"Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. Please note that site servicing approvals will be required prior to building permit."

The Credit Valley Conservation commented as follows (April 19, 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 adjacent to Cooksville Creek is entirely within its associated floodplain. 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 subject site is adjacent to the Mississauga Natural Heritage System and within the City's Natural Areas System classified as a Significant Natural Site (LV4).

**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 dwelling proposing:

1. a front yard of 7.10m (23.29 ft.) to the front garage face; whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (24.60 ft.) to the front garage face in this instance; and,
2. a dwelling height of 11.27 (37.00 ft.); whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (24.60 ft.) to the top of a flat roof in this instance.

**Comments:**

The proposed 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. However, as the entire property is located within the floodplain of Cooksville Creek. It is recommended that the applicants confirm with municipal emergency services that acceptable provisions for emergency ingress/egress are available appropriate for the development and the flood hazard. The Regulatory Flood elevation for the subject property is 77.92masl and the floodplain mapping is attached.

A CVC permit is required for the development as proposed. As the proposed dwelling is located within the floodplain, it would be subject to CVC's policies and criteria for building within the floodplain. These requirements are outstanding and must be addressed through CVC's permit review process."

A letter was received from Ward Councillor Tovey providing historic context with respect to the application and noting the issues and concerns voiced by the residents on previously approved applications such as overlook, wall effect of three storey homes with no setbacks on floors two and three, shadow impacts, massing issues, and poor urban designs.

Councillor Tovey advised that during the meetings and debates to restrict the three storey flat roof houses, it was noted that if an applicant could demonstrate mitigation of the community concerns, they could submit an application to the Committee for consideration of their request.

Councillor Tovey advised that the applicant has indicated that they are not applying for a variance for lot coverage or side yard variances, that the south elevation faces a little used treed portion of the park, and the west elevation faces Cooksville Creek thereby eliminating overlook. He indicated that the applicant advises that the property to the north is a two storey home with a full roof that is taller than the proposed dwelling and the proposed dwelling will fit in with the architecture of the community.



## MISSISSAUGA

File: "A" 169/16

WARD 1

Letters were received from the property owners/residents at 872 and 876 Aviation Road, 612 Byngmount Avenue, 933 Goodwin Road, 867, 871, 880, 885, 899, and 689 Montbeck Crescent indicating they have reviewed the front elevation drawing provided by the purchasers and are in support of the request.

A letter was received from P. Farrell, resident at 608 Montbeck Crescent, expressing objection to the application and indicating comments and concerns with respect to overlook, height and massing noting that the proposed dwelling will not maintain the intent of the Lakeview Built Form Standards as it does not maintain existing character of the area.

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the application to June 9, 2016.

On June 9, 2016, Mr. M. Vieira, of Epic Designs Inc., attended and advised that the dwelling height has been reduced. He noted that the house has been sited forward on the lot to ensure that the dwelling is not located in the Credit Valley Conservation flood plain line. He indicated that the building envelope and deck are now located outside of the flood plain line. He indicated that the dwelling finished first floor must be raised to meet Credit Valley Conservation constraints. Mr. Vieira advised that the garage and floor openings are required to be 0.30m (1.00ft.) above grade. He indicated that the finished floor had to be raised 1.69m (5.54ft.) above average grade to meet these requirements and consequently, a variance for height is required. Mr. Vieira advised that the height of the three storey dwelling has been reduced from 11.27m (36.97ft.) to 10.68m (35.04ft.). He noted that the maximum permitted height for a dwelling with a sloped roof is 10.70m (35.10ft.).

Mr. Vieira presented renderings of the proposed dwelling and advised that the third storey is situated further from the side property line and the stairs are visible from the street; however, the remaining third floor is not. He presented another rendering of a dwelling that could be constructed on the lot using a sloped roof design and indicated that the sloped roof design creates more massing than the proposed flat roof design.

Mr. Vieira advised that there will be no adverse impact as the dwelling abuts a park. He indicated that the home-owners will enjoy a view of the lake and park from the third storey.

Mr. Vieira presented photographs of other homes constructed in the neighbourhood and indicated that these homes create more massing than the proposed dwelling. He explained that the massing has been reduced as the third storey has been pulled back from the front property line.

Mr. Vieira indicated that many of the neighbours support the application. He indicated that the dwelling complies with the minimum side yard requirements. Mr. Vieira advised that there will be no overlook or shadows. He advised that the proposed dwelling is appropriate for the property and meets the criteria set out by the Credit Valley Conservation. He requested that the Committee approve the application.

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

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

### **"Recommendation**

The Planning and Building Department has no objection to requested variance #1, however we recommend that variance #2 be refused. Further, we are unable to verify the accuracy of the requested variances and the applicant may wish to defer the application in order to apply for the required Building Permit.

### **Background**

**Mississauga Official Plan**

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density II, Greenbelt

**Zoning By-law 0225-2007**

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

**Other Applications:**

Building Permit File: Required

**Comments**

**Zoning**

A Building Permit application is required. In the absence of a Building Permit application we are unable to confirm the accuracy of the requested variances or determine whether additional variances may be required. The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

**Planning**

The applicant has modified their proposal slightly since the April 28<sup>th</sup>, 2016 Committee of Adjustment hearing; however, the reduced height of 10.68 m (35.04 ft.), an increase of 3.18 m (10.43 ft.) over what the Zoning By-law permits, remains inappropriate for the same reasons as previously stated. As a result, out comments from the April 28<sup>th</sup>, 2016 Committee of Adjustment hearing remain applicable. The application does not maintain the intent of the Zoning By-law and is not minor in nature."

The City of Mississauga Transportation and Works Department commented as follows (June 2, 2016):

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

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 3, 2016):

"Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. Please note that site servicing approvals will be required prior to building permit."

An e-mail was received from the Credit Valley Conservation indicating that the change in height does not impact CVC's interests. They indicated that the previous comments submitted for the application are still applicable.

A letter was received from J. Taylor-Hall, resident at 871 Hampton Crescent, indicating she originally supported the design, based upon a sketch and not the formal submission to the Committee of Adjustment. She expressed concerns with respect to the height of the dwelling indicating the neighbourhood is being transformed into a wall of flat roof dwellings and it is losing its charm. She requested that the applicant construct a dwelling in accordance with the City's height limits.

An e-mail was received from P. Farrell, of 608 Montbeck Crescent, expressing opposition to the application and noting her concerns with respect to massing noting it exceeds the intent and purpose of the Zoning By-law.

Mr. K. Riddell, property owner at 512 Richey Crescent, attended and expressed his objection to the application and noting that By-law should be upheld restricting flat top roofs.

Mr. P. Mastromarco, property owner at 877 Hampton Crescent, attended and expressed his objection to the application. He indicated that the height is excessive and may impact the resale value of his home.

No other persons expressed any interest in the application.

Mr. Vieira advised that the grade slopes to the rear. He advised that a variance to the height is required as they had to raise the house due to grades and the freeboard elevation to prevent flooding. Mr. Vieira indicated that the proposed dwelling minimizes the massing and minimizes the impacts to the neighbours.

The Committee, after considering the submissions put forward by Mr. Vieira and having reviewed the plans, is satisfied that the request is desirable for the appropriate further development of the subject property. The Committee indicated that the third storey has been moved away from the side property line and does not adversely affect the neighbours. They advised that the property is located adjacent to the park and foliage will conceal the height of the dwelling. They indicated that the lot size and location are factors that support their approval of the application. The Committee indicated that they have considered the Councillor's comments with respect to the history and concerns of the residents when passing the original height By-law and noted that they do not believe that the proposed dwelling creates any adverse impact, will not create any overlook conditions, will not create a wall effect, and does not create a massing effect.

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

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

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

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

MOVED BY:	J. Page	SECONDED BY:	D. Kennedy	CARRIED
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## MISSISSAUGA

File: "A" 169/16  
WARD 1

Application Approved, temporarily, on conditions as stated.

Dated at the City of Mississauga on June 16, 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 **JULY 6, 2016**.

Date of mailing is June 20, 2016.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

DISSENTED

P. QUINN

I certify this to be a true copy of the Committee's decision given on June 16, 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

**EHAB BALLAN**

on Thursday, June 9, 2016

Ehab Ballan is the owner of 5260 Adobe Court being Lot 24, Plan M-1753, zoned R6-1, Residential. The applicant requests the Committee to authorize a minor variance to permit the existing driveway to remain having:

1. a driveway width of 8.32m (27.30ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.10m (20.01ft.) in this instance;
2. a southerly setback of 0.00m (0.00ft.) from the driveway to the side property line; whereas By-law 0225-2007, as amended, requires a minimum setback of 0.60m (2.00ft.) from the driveway to the side property line in this instance; and,
3. a northerly setback of 0.54m (1.77ft.) from the driveway to the side property line; whereas By-law 0225-2007, as amended, requires a minimum setback of 0.60m (2.00ft.) from the driveway to the side property line in this instance.

On April 28, 2016, Mr. E. Ballan, property owner, attended and presented the application to permit the existing widened driveway to remain on the pie shaped lot. Mr. Ballan presented photographs of the existing driveway which was widened to provide more room to get in and out of the two (2) vehicles that are parked on the driveway and to facilitate reversing out of the driveway that has an awkward alignment with Adobe Court. Mr. Ballan explained that he provided a 0.61m (2.00ft.) strip of landscaping along one side of the driveway which continues into the backyard which has lots of greenery and trees planted. He indicated that the rain water from his homes roof is directed into weeping tiles which drain into his planting beds. Mr. Ballan concluded by stating that he has invested a lot of money in his driveway and the appearance of his home.

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

The City of Mississauga Planning and Building Department commented as follows (April 26, 2016):

### **"Recommendation**

The Planning and Building Department recommends refusal of the requested variances.

### **Background**

#### **Mississauga Official Plan**

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



**Zoning By-law 0225-2007**

**Zoning:** R6-1

**Other Applications:**

**Comments**

**Zoning**

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

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

**Planning**

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

Wide but shallow perpendicular driveway configurations are not appropriately designed hammerheads and create unsafe conditions. Wide driveways reduce the availability of on-street visitor parking and opportunities for front-yard landscaping. The current driveways result in front yards that consist predominantly, and in many cases entirely, of hard surface areas that emphasize vehicular parking, which does not reinforce or enhance the character of the neighbourhood nor the quality of the streetscape.

Further, we advise that this subdivision was registered as Plan 43M-1607. A warning clause was registered on title of all subject lots advising purchasers of limitations on parking and driveway widths and for additional information to contact the Zoning Section of the City's Planning and Building Department.

Based on the preceding information, the Planning and Building Department recommends refusal of the requested variances."

The City of Mississauga Transportation and Works Department commented as follows (April 21, 2016):

"Enclosed for Committee's easy reference are some photo's which depict the existing driveway as constructed. This department is also advising that we are not supportive of Variance No. 2 and 3 which is requesting a southerly setback of 0.00M (0.00ft) and northerly setback of 0.54 M(1.77 ft.) from the driveway to the side property lines as we feel that the minimum 0.6M required setback could be achieved."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (April 22, 2016):

"We have no comments or objections."

A memorandum was received from Ward Councillor McFadden indicating that since the notification signs were erected on the properties as of April 18 or earlier, she has not received any inquiries or comments on the matter from neighbouring property owners or the community. She indicated that she does not oppose the relief from the existing Zoning By-law with respect to driveway width as requested in the applications.



## MISSISSAUGA

File: "A" 170/16  
WARD 10

A letter was received from M. Mollaei, resident at 5245 Adobe Court, expressing support for the application.

A letter was received from C. & G. Gibson, residents at 5237 Adobe Court expressing objection to the application and noting their concerns with respect to the loss of grass and greenery, too much hard surface area, and possible adverse impact on their property value.

No other persons expressed any interest in the application.

The Committee praised the applicant's efforts in maintaining a beautiful home although they identified some areas of the driveway around the front porch stairs that could be converted to landscaping to prevent the area in front of the porch from being parked on.

The Committee considered a motion to approve the application based on the smaller size of the driveway and its awkward alignment with Adobe Court together with the aesthetically appropriate appearance of the property. The motion failed.

Mr. Ballan, after hearing the comments from Staff and the Committee, requested that the application be deferred to allow more time to address their comments.

The Committee consented to the request and deferred the application to June 9, 2016.

On June 9, 2016, Mr. E. Ballan, property owner, attended and advised that he wishes to propose changes to the driveway. He presented photographs of the driveway with measurements shown to indicate the driveway and walkway widths. He indicated that the width of the driveway is 4.81m (15.8ft.) at the curb and the actual width of the driveway where they park the cars is 5.57m (18.3ft.). He advised that he is willing to remove a portion of the driveway adjacent to the steps of 1.52m x 1.01m (5.00ft. x 3.33ft.) and provide a planting area.

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

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

### **"Recommendation**

The Planning and Building Department recommend the application be refused.

### **Background**

#### **Mississauga Official Plan**

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

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

Zoning: R6-1

#### **Other Applications:**

#### **Comments**

#### **Zoning**

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

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

## Planning

The application was originally heard on April 28, 2016. The applicant has not provided any new submissions or information.

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

Further, we advise that this subdivision was registered as Plan 43M-1607. A warning clause was registered on title of all subject lots advising purchasers of limitations on parking and driveway widths and for additional information to contact the Zoning Section of the City's Planning and Building Department.

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

The City of Mississauga Transportation and Works Department commented as follows (June 2, 2016):

Enclosed for Committee's easy reference are some photo's which depict the existing driveway as constructed. This department is also advising that we are not supportive of Variance No. 2 and 3 which is requesting a southerly setback of 0.00M (0.00ft) and northerly setback of 0.54 M (1.77 ft.) from the driveway to the side property lines as we feel that the minimum 0.6M required setback could be achieved.

The City of Mississauga Community Services Department commented as follows (June 9, 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 Park Planning staff attended the site May 31<sup>st</sup>, 2016, and through assessing our available records found that a City-owned street tree has been removed.

As such, this Department recommends refusal of the application.

In addition, this Department notes the following:

1. The applicant is advised that the City may seek restitution for the loss to said tree."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 3, 2016):

"We have no comments or objections."

An e-mail was received from C. and G. Gibson, 5237 Adobe Court, expressing objections to the application and noting their concerns with respect to safety and the amount of hard surface parking area making the neighbourhood look more like a used car lot than a residential area.

No other persons expressed any interest in the application.

The Committee expressed concerns that the tree has been removed.

Mr. Ballan indicated that the tree was dead when he moved into his home. He indicated that he has planted many trees in the rear yard.

The Committee indicated that a larger separation may be appropriate adjacent to the steps indicating the length should be increased from 1.52m (5.00ft.) to 2.43m (8.00ft.) to provide a greater separation of the driveway and walkway areas.

Mr. Ballan indicated that the purpose of the walkway is to ensure that passengers exiting from the vehicles step out onto a hard surface, instead of mud. He advised that he does not utilize the walkway area for parking purposes. Mr. Ballan advised that he can park two vehicles side by side in the driveway and two more vehicles behind them. He indicated that when the vehicles are parked in the driveway, it is not possible to access any area in front of the steps to park a vehicle.

The Committee indicated that the bottom portion of the driveway is under the jurisdiction of the City of Mississauga's Transportation and Works Department. They further advised that they cannot grant any approvals of the driveway for the lands on the boulevard portion. They advised that the applicant will have to address any Transportation and Works Department requirements separately.

The Committee, after considering the submissions put forward by Mr. Ballan and having reviewed the plans, is satisfied that the request is desirable for the appropriate further development of the subject property. The Committee indicated that the access from the driveway to the street is narrow and the applicant uses the widened area to navigate the vehicle to the street. They indicated that the portion of the driveway adjacent to the steps is not being utilized for parking but as a walkway area and also to provide easy access for passengers to exit the vehicles. The Committee indicated that the driveway should remain in its present location.

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

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

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

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

Dated at the City of Mississauga on June 16, 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 **JULY 6, 2016**.

Date of mailing is June 20, 2016.

DISSENTED

S. PATRIZIO (CHAIR)

  
D. GEORGE

DISSENTED


J. ROBINSON

  
D. KENNEDY

DISSENTED

J. PAGE

  
D. REYNOLDS

  
P. QUINN

I certify this to be a true copy of the Committee's decision given on June 16, 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

CAMERON PIKUL

on Thursday, June 9, 2016

Cameron Pikul is the owner of 57 Wesley Avenue being Lots 32 and 33, Registered Plan I-13, zoned RM4-64, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new detached dwelling on the subject property proposing:

1. the new dwelling to be constructed in accordance with the R-15 zoning provisions; whereas By-law 0225-2007, as amended, permits development in accordance with the RM4-64 zoning provisions in this instance,
2. a front yard of 3.58m (11.74ft.); whereas By-law 0225-2007, as amended, requires a minimum front yard of 6.00m (19.68ft.) in this instance,
3. a front porch, inclusive of stairs to encroach 2.40m (7.87ft.) into the required front yard; whereas By-law 0225-2007, as amended, permits a maximum encroachment of a porch, inclusive of stairs, of 1.60m (5.24ft.) into the required front yard in this instance,
4. a dwelling height of 9.49m (31.13ft.); whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 9.20m (30.18ft.) in this instance,
5. a detached garage height of 5.16m (16.92ft.); whereas By-law 0225-2007, as amended, permits a maximum detached garage height of 4.60m (15.09ft.) in this instance; and,
6. a driveway setback of 0.30m (0.98ft.) to the side lot line; whereas By-law 0225-2007, as amended, requires a minimum setback of 0.60m (1.96ft.) from the driveway to the side lot line in this instance.

On April 28, 2016, Ms. Beaumont, of W.E. Oughtred & Associates, authorized agent, attended and requested that the application be deferred. She indicated that serious concerns with the foundation of the existing home were recently discovered and that the applicant has decided to construct a new home instead of renovating the existing dwelling as originally planned.

Mr. H. Lynch, Planner with the City of Mississauga Planning & Building Department attended and advised the Committee on the necessary changes to the existing building permit that need to occur as well as requiring about four (4) weeks to determine how recent concerns with the City's Official Plan and Zoning Bylaw may affect the application.

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

The City of Mississauga Planning and Building Department commented as follows (April 27, 2016):

**"Recommendation**

The Planning and Building Department recommend that the application be deferred.

**Background**

**Mississauga Official Plan**

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

**Zoning By-law 0225-2007**

**Zoning:** RM4-64 (Residential)

**Other Applications:**

Building Permit File: 15-8374

**Comments**

**Zoning**

The Planning and Building Department is currently processing a Building Permit application for a proposed second storey addition, interior alterations, basement walkout and detached garage; however, the Minor Variance request is seeking to construct a new detached dwelling, rather than the addition applied for in the Building Permit. A new detached dwelling is not permitted in the RM4-64 zone. Based on a review of the Building Permit application we are unable to verify the accuracy of the requested variances.

**Planning**

The applicant's variance requests #2 to #6 seek to modify the zoning requested under variance #1, creating a situation that requests a variance to a variance, which is not an appropriate approach. Further, the setback and encroachments under variances #2, #3 and #6 cannot be confirmed as these dimensions are not provided. Should the Committee see merit in variance #1, we recommend that the application be deferred for the applicant to work with staff to ensure that the variances are expressed correctly.

The subject lands are designated Residential Medium Density, which permits only townhouse dwellings and horizontal multiple dwellings. Accordingly, a detached dwelling not a permitted use under the Official Plan.

Historically, the lands north of Park Street and south of Queen Street West, west of Mississauga Road were designated Residential Medium Density, allowing development up to a density of 57 unit per hectare (23 units per acre). In 1997, the City adopted City Plan (a new Official Plan at the time), which converted the Secondary Plans into District Policies that were incorporated into the Official Plan. With these changes, a consistent approach to land use designations in the City was adopted, which introduced a building typology description. Generally, the Residential Medium Density designation permits townhouses; the Residential Low Density designation would permit detached and semi-detached dwellings.

Since City Plan, the City subsequently adopted a new Official Plan and most recently conducted a Local Area Plan review in 2015. The Residential Medium Density designation of this block was not raised as a concern through these reviews.

The property is zoned RM4-64, which permits townhouse dwellings and legally existing detached, duplex and triplex dwellings. The Zoning By-law allows additions to legally existing dwellings, but does not allow new dwellings. The Zoning By-law allows for the restoration or repair to safe condition of any building or part thereof that is in need of structural repair, provided that the size of the building does not increase.

Notwithstanding, at the April 27, 2015 Council meeting, the Planning and Building Department received direction from Ward 1 Councillor Tovey to review the appropriateness of the Official Plan designation and zoning of this block, and to review the specifics of the building permit for this property. We recommend that this application be deferred for staff to conduct this review."

The City of Mississauga Transportation and Works Department commented as follows (April 21, 2016):

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

The Region of Peel, Environment, Transportation and Planning Services commented as follows (April 22, 2016):

"Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. Please note that site servicing approvals will be required prior to building permit."

A letter was received from Ms. M. Simpson, property owner at 61 Wesley Avenue, expressing opposition to the application and noting her concerns with respect to the driveway widening and its impact on the drainage and reduction in the landscape buffer.

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the application to June 9, 2016.

On June 9, 2016, Mr. W. Oughtred, authorized agent, attended and presented the application. Mr. Oughtred advised that the deferral was requested by the Planning and Building Department as the property is located in a medium density area. He indicated that the RM4-64 zone only allows additions to single family dwellings, triplexes, duplexes and townhouses that existed on the date of the passing of the By-law.

Mr. Oughtred advised that a building permit was originally submitted for an addition to the existing two storey dwelling. Upon further investigation, the Engineer advised that the existing foundation was unable to support the addition. Subsequently, a building permit was submitted for a new single family dwelling and a garage.

Mr. Oughtred advised that the existing planning designation is medium density which permits additions to existing single family dwellings, triplexes, duplexes and townhouses; however does not permit new dwellings. He indicated that discussions have taken place with the Planning and Building Department and the Ward Councillor. Mr. Oughtred indicated that a review of the block is being conducted by the Policy Section to review other uses and he anticipates that they will allow single family dwellings on the block.



Mr. Oughtred indicated that he is requesting variances to the By-law to allow the single family dwelling to be constructed under the R15 zone provisions. He noted that the RM4-64 zone provisions indicate that when an addition is constructed to a dwelling in this zone, it should comply with the R15 zone provisions. He applied for the Minor Variances on this basis. Upon further discussion with the Zoning Section, it was determined that it is not necessary to obtain the specific variances to the R15 zone provisions if the application is amended to permit a new two storey detached dwelling to be constructed on the property; whereas the By-law only allows a detached dwelling legally existing on the date of the passing of the By-law.

The Secretary-Treasurer advised that he was present at the meeting with the Zoning Section and advised that if the construction of a two storey dwelling is requested as a permitted use, it is not necessary to request variances for setbacks as no zoning provisions apply in this instance. He indicated that the Zoning Section advised that it may be appropriate to tie any approval to the plans reviewed by the Committee.

Mr. H. Lynch, Planner with the City of Mississauga, attended and confirmed that there are no specific provisions for new dwellings and if any approval is given it should be conditional on the plans reviewed by the Committee. Mr. Lynch indicated that the Planning and Building Department comments indicate the position of the Department with respect to the subject lands. He indicated that he believes that the request maintains the intent of the Official Plan. Mr. Lynch indicated that neighbourhoods should remain stable and noted that he doesn't believe that there is a specific deliberate redevelopment strategy for the area. Mr. Lynch indicated that recognition for a medium density neighbourhood can be accomplished through additions to duplexes and triplexes which are permitted in the Zoning By-law.

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

The City of Mississauga Planning and Building Department commented as follows (June 6, 2016):

**"Recommendation**

The Planning and Building Department has no objection to the requested variances; however, the applicant may wish to defer the application to apply for the required Building Permit for a new single detached dwelling 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 (West)  
Designation: Residential Medium Density

**Zoning By-law 0225-2007**

**Zoning:** RM4-64 (Residential)

**Other Applications:**

Building Permit File: 15-8374

**Comments**

## Zoning

The Planning and Building Department is currently processing a Building Permit application for a proposed second storey addition, interior alterations, basement walkout and detached garage; however, the Minor Variance request is seeking to construct a new detached dwelling, rather than the addition applied for in the Building Permit. The applicant will be required to submit a new Building Permit application for a new single detached dwelling and the Department is unable to verify the accuracy of the requested variances without this application.

## Planning

The applicant's variance requests #2 to #6 seek to modify the zoning requested under variance #1, creating a situation that requests a variance to a variance, which is not a preferred approach. Further, the setback and encroachments under variances #2, #3 and #6 cannot be confirmed as these dimensions are not provided. We understand that the applicant will amend the application to more appropriately express the variances; however at this time we are unable to confirm the updated variances.

Historically, the lands north of Park Street and south of Queen Street West, west of Mississauga Road were designated Residential Medium Density, allowing development up to a density of 57 unit per hectare (23 units per acre), without prescribing specifically-permitted building typologies. In 1997, the City adopted City Plan (a new Official Plan at the time), which converted the Secondary Plans into District Policies that were incorporated into the Official Plan. With these changes, a consistent approach to land use designations in the City was adopted, which introduced a building typology description. Generally, the Residential Medium Density designation permits townhouses; the Residential Low Density designation would permit detached and semi-detached dwellings. As a consequence, the current designation only permits townhouse dwellings.

However, both within the Port Credit Local Area Plan and more broadly in the Official Plan, there is an emphasis in maintaining the character of neighbourhoods, particularly in areas that are outside of intensification areas (the Urban Growth Centre, Nodes and Corridors), as is the case in this instance. The immediate neighbourhood is characterized generally by detached dwellings, and the occasional duplex or triplex building to a lesser extent.

The property is zoned RM4-64, which permits townhouse dwellings and legally existing detached, duplex and triplex dwellings, and permits additions thereto. Given that the exception zoning permits enlargements of existing dwellings rather than only permitting legally existing dwellings, in our view that the by-law intends detached dwellings to continue to be present in the neighbourhood for the foreseeable future. A large addition, permitted as of right, could have a similar long term commitment to a property as a full rebuild. At the same time, rebuilding a dwelling on this property would not preclude townhouse development on other properties in the area, subject to the appropriate development applications. In our view, replacing a dwelling on the subject lands maintains the general intent of the Official Plan.

The zoning by-law applies the R15 zone provisions to additions to detached dwellings in this instance. The Department is of the opinion that the requested setbacks and height variances are minor when compared to the R15 zoning. The adjacent homes along Wesley Ave. are consistently developed close to the front lot line with similar setbacks to what the application proposes. Further, the shape of the lot means that the condition improves across the rest of the lot. The requested height increases for the dwelling of 0.29 m (0.95 ft.) and for the garage of 0.56 m (1.84 ft.) should not have significant impacts on the adjacent lots and the requests are minor in our opinion. The setback to the driveway is to facilitate access to the garage in the rear yard and the requested 0.30 m (0.98 ft.), which is a generally existing condition, should allow for adequate separation distance from the adjacent lot.

Based on the preceding information, the Planning and Building Department is of the opinion that the requested variances are minor in nature and maintain the general intent of the Official Plan and Zoning By-law and as a result have no objection to the application. However, the applicant may wish to defer the application to apply for the required Building Permit for a new single detached dwelling 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 2, 2016):

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

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 3, 2016):

"Please be advised that service connection sizes shall be in compliance with the Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. Please note that site servicing approvals will be required prior to building permit."

An e-mail was received from R. Noel, resident at 76 Park Street West, expressing an interest in the application.

No other persons expressed any interest in the application.

The Committee consented to the request to amend the application.

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

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit a new two storey detached dwelling to be constructed on the property; whereas By-law 0225-2007, as amended, only allows a detached dwelling legally existing on the date of the passing of the By-law.

This decision is subject to the following condition:

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

MOVED BY:	P. Quinn	SECONDED BY:	D. Kennedy	CARRIED
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## MISSISSAUGA

File: "A" 173/16  
WARD 1

Application Approved, as amended, on condition as stated.

Dated at the City of Mississauga on June 16, 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 **JULY 6, 2016**.

Date of mailing is June 20, 2016.

S. PATRIZIO (CHAIR)

D. GEORGE

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 June 16, 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.