

# COMMITTEE OF ADJUSTMENT AGENDA



Location: COUNCIL CHAMBER  
Hearing: JUNE 16, 2016 AT 1:30 P.M.

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

File	Name of Applicant	Location of Land	Ward	Disposition
<b>NEW APPLICATIONS - (CONSENT)</b>				
B-040/16	KARMINA HOLDINGS INC.	1700 CAROLYN RD	6	Approved
B-041/16	THE ERIN MILLS DEVELOPMENT CORPORATION	7445 NINTH LINE	9	Approved
B-042/16 A-248/16 A-249/16	MANTELLA CORPORATION	6355 KENNEDY RD & 6320 DANVILLE RD	5	Approved

## NEW APPLICATIONS - (MINOR VARIANCE)

A-228/16	GILLIAN D'SILVA	1285 STAVEBANK RD	1	Approved
A-229/16	KATHY HORVAT	385 ANTIGUA RD	7	Approved
A-230/16	AVTAR PABLA	1182 MOUNT VERNON ST	2	Approved
A-231/16	ORLANDO CORPORATION	6030 & 6080 WHITTLE ROAD & 85 BRITANNIA ROAD EAST	5	Approved
A-232/16	LUCIEN CARPENTERS LTD	1146 WESTPORT CRES	5	Approved
A-233/16	THE ELIA CORPORATION	1177 CENTRAL PKY W	6	Approved
A-234/16	PEEL CONDOMINIUM CORPORATION # 313	3065 & 3075 RIDGEWAY DR	8	Approved
A-235/16	J & D SAHDRA INVESTMENTS LTD.	60 LAKESHORE RD E	1	Approved
A-236/16	PETER FONSECA	980 RUNNINGBROOK DR	3	Approved
A-237/16	JOE BOTELHO	2515 CLIFF RD	7	July 21
A-238/16	KREST PROPERTIES LTD.	1107 LORNE PARK RD	2	Approved (2yrs)
A-239/16 A-240/16	DUNSIRE (HAIG) INC.	1209 HAIG BOULEVARD and 1209-1235 AZINGER LANE	1	Approved
A-241/16	DUNSIRE (HAIG) INC.	1173, 1177 and 1179 HAIG BOULEVARD, 1161-1196 CARNEGIE DRIVE, and 1201-1223 OWLS HEAD ROAD	1	

## DEFERRED APPLICATIONS - (MINOR VARIANCE)

A-179/16	HOSSAIN ABDUL KHAER MOHAMMED & BEGUM GULSHAN ARA	6462 DONWAY DR	11	Approved
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## COMMITTEE OF ADJUSTMENT

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

KARMINA HOLDINGS INC.

on Thursday, June 16, 2016

Karmina Holdings Inc. is the owner of 1700 Carolyn Road being Part of Lots 28-31, Plan A-15, zoned R3, Residential. The applicant requests the consent of the Committee to the conveyance of a parcel of land proposing a lot frontage of approximately 16.18m (53.08ft.) and a lot area of approximately 929.34m<sup>2</sup> (10,003.34sq. ft.). The effect of the application is to create a new lot for residential purposes.

Mr. J. Wallace, authorized agent, attended and presented the application. Mr. Wallace presented a survey plan illustrating the lot to be severed. He indicated that the same application has been before the Committee twice before but the owner never satisfied the conditions of approval and the approvals had lapsed. Mr. Wallace explained that the owner intends to build two (2) detached homes on the newly created lots. He also noted that each new lot and home will comply with the R3, Residential zone regulations and that no variances are required.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (June 13, 2106),  
City of Mississauga, Transportation and Works Department (June 9, 2016),  
City of Mississauga, Community Services Department (June 14, 2016),  
Region of Peel, Environment, Transportation & Planning Services (June 13, 2106).

Mr. E. Oberhauser, property owner of 1697 Carrington Road, attended and expressed an interest in the application. Mr. Oberhauser did not express any objection to the two consent applications made in the past but he indicated that since the new owner has purchased the property it has been in a state of derelict and not maintained. He believed a single home on the property was more appropriate than it being severed and two smaller homes built.

No other persons expressed any interest in the application.

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

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

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

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



## MISSISSAUGA

File: "B" 40/16  
WARD 6

2. An application amendment letter shall be received from the applicant or authorized agent confirming that the "severed" land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no additional services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager/Supervisor, Zoning Plan Examination, indicating that the "severed" and "retained" lands comply with the provisions of the Zoning By-law with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to existing building(s), or alternatively, any minor variance is approved, final and binding and/or the demolition of any existing building(s).
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated June 9, 2016.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated June 14, 2106 (re: street trees).

MOVED BY: D. George

SECONDED BY: S. Patrizio

CARRIED


Application Approved, on conditions as stated.

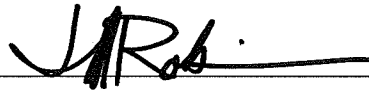
Dated at the City of Mississauga on June 23, 2016.

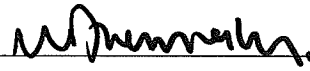
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **JULY 17, 2016**.


Date of mailing is June 27, 2016.

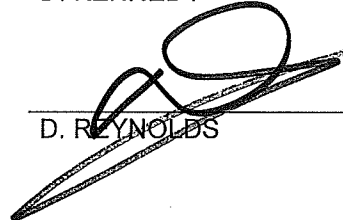
  
S. PATRIZIO

  
D. GEORGE

  
J. ROBINSON (CHAIR)

  
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 23, 2016.

  
DAVID L. MARTIN, SECRETARY-TREASURER

**NOTES:**

The decision to give provisional consent shall be deemed to be refused if the conditions of provisional consent, have not been fulfilled on or before **June 27, 2017**.

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

## COMMITTEE OF ADJUSTMENT

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

on Thursday, June 16, 2016

The Erin Mills Development Corporation is the owner of 7445 Ninth Line being Block 2, Registered Plan M-2001, zoned E2-117, Employment. The applicant requests the consent of the Committee to the transfer/creation of a new lot/consent to lease, mortgage/charge, transfer of easements of a parcel of land proposing a lot frontage of approximately 290.00m (951.44ft.) and an area of approximately 6.18ha (15.29acres). The purpose of the application is to create a new lot for Employment purposes.

Mr. F. Gasbarre, authorized agent, attended and presented the application. Mr. Gasbarre presented a site plan illustrating the severed and retained lands. He indicated that the construction of Argentia Road will be completed this summer and that there are sufficient storm and sanitary services available to accommodate the planned development.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (June 10, 2106),  
City of Mississauga, Transportation and Works Department (June 9, 2016),  
City of Mississauga, Community Services Department (June 14, 2016),  
Region of Peel, Environment, Transportation & Planning Services (June 13, 2106)

Mr. R. Brar, property owner of 7467 Ninth Line, attended and expressed an interest in the application. Mr. Brar did not express any objection to the application but instead was interested in the process to rezone his own property.

No other persons expressed any interest in the application.

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

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

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the "severed" land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is



File: "B" 41/16  
WARD 9

required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no additional services easement(s) and/or right(s)-of-way, are necessary.

3. A letter shall be received from the City of Mississauga, Manager/Supervisor, Zoning Plan Examination, indicating that the "severed" and "retained" lands comply with the provisions of the Zoning By-law with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to existing building(s), or alternatively, any minor variance is approved, final and binding and/or the demolition of any existing building(s).

MOVED BY: D. George

SECONDED BY: S. Patrizio

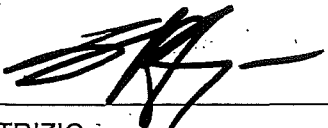
CARRIED

Application Approved, on conditions as stated.


Dated at the City of Mississauga on June 23, 2016.

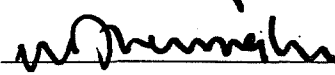
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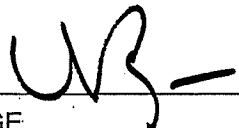
Date of mailing is June 27, 2016.

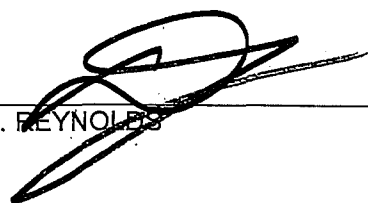
  
S. PATRIZIO

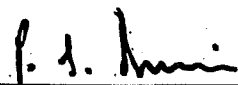
  
D. GEORGE

  
J. ROBINSON (CHAIR)

  
D. KENNEDY

  
J. PAGE

  
D. REYNOLDS

  
P. QUINN

I certify this to be a true copy of the Committee's decision given on June 23, 2016.

  
DAVID L. MARTIN, SECRETARY-TREASURER

**NOTES:**

The decision to give provisional consent shall be deemed to be refused if the conditions of provisional consent, have not been fulfilled on or before **June 27, 2017**.

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

## COMMITTEE OF ADJUSTMENT

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

MANTELLA CORPORATION

on Thursday, June 16, 2016

Mantella Corporation is the owner of 6355 Kennedy Road being Block 2, Registered Plan M-902, zoned E2, Employment. The applicant requests the consent of the Committee to a conveyance of a parcel of land having a lot frontage of approximately 18.30m (60.00ft.) and a lot area of approximately 2,032.70m<sup>2</sup> (21,880.51sq.ft.). The purpose of the application is to merge the conveyed lands with the adjoining parcel to the east, known as 6320 Danville Road.

The subject lands are also the subject of application for Minor Variance Files "A" 248/16 and "A" 249/16.

Mr. T. Sandberg, authorized agent, attended and presented the application. Mr. Sandberg presented a site plan and explained that the subject property is currently subject to a condominium conversion application which revealed that the property boundary line separating the subject lands from the adjacent property located at 6320 Danville Road runs through the building located on that property. Mr. Sandberg indicated that the relocation of the property line is down the center of the shared access driveway which results in the requested variances. Mr. Sandberg also explained that together with the relocation of the property boundary there will also be the establishment of an easement to facilitate storm water management maintenance.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (June 10, 2106),  
City of Mississauga, Transportation and Works Department (June 9, 2016),  
Region of Peel, Environment, Transportation & Planning Services (June 13, 2106).

No other persons expressed any interest in the application.

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

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



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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the "severed" land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no additional services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager/Supervisor, Zoning Plan Examination, indicating that the "resultant" and "retained" lands comply with the provisions of the Zoning By-law with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to existing building(s), or alternatively, any minor variance is approved, final and binding and/or the demolition of any existing building(s).
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated June 9, 2016.
5. A letter shall be received from the Region of Peel, Environment, Transportation and Planning Services, Transportation Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated June 13, 2016.
6. Subsection 50(3) and/or 50(5) of the *Planning Act*, shall apply to any subsequent conveyance or transaction and the Secretary-Treasurer's Certificate shall contain reference to this stipulation.
7. An undertaking shall be received from a solicitor confirming that the legal description of the "resultant" lot and the legal description in any mortgage(s) or charge(s) encumbering any part of the "resultant" parcel will be identical within four (4) weeks of the date of the Secretary-Treasurer's Certificate under the *Planning Act*, or alternatively, that no part of the "resultant" lot is encumbered by any mortgage(s)/charge(s) etc. (The resultant parcel is the "severed" land and the land to which the "severed" land is to be merged).
8. A solicitor's undertaking shall be received which shall be to the effect that, at the time of registration of the transfer to which the Secretary-Treasurer's Certificate under the *Planning Act*, is affixed, the "severed" land and the abutting land, being 6320 Danville Road, shall be held in identical ownership.

MOVED BY: J. Page

SECONDED BY: D. Reynolds

CARRIED

Application Approved, on conditions as stated.

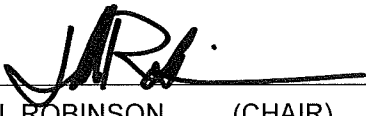
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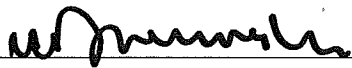
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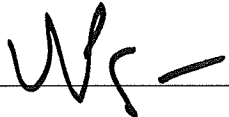
Date of mailing is June 27, 2016.

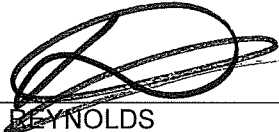
  
S. PATRIZIO


  
D. GEORGE

  
J. ROBINSON (CHAIR)

  
D. KENNEDY

  
J. PAGE

  
D. REYNOLDS

  
P. QUINN

I certify this to be a true copy of the Committee's decision given on June 23, 2016.

  
DAVID L. MARTIN, SECRETARY-TREASURER

**NOTES:**

The decision to give provisional consent shall be deemed to be refused if the conditions of provisional consent, have not been fulfilled on or before **June 27, 2017**.

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

## COMMITTEE OF ADJUSTMENT

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

MANTELLA CORPORATION

on Thursday, June 16, 2016

Mantella Corporation is the owner of 6355 Kennedy Road being Block 2, Plan M-902, zoned E2, Employment. The applicant requests the Committee to authorize a minor variance to permit a shared driveway between the subject property and the property to the east, being the 'retained' lands of Consent Application 'B' 42/16, proposing an aisle width of 3.50m (11.48ft.); whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (22.96ft.) and requires all aisles to be located wholly on site in this instance.

Mr. T. Sandberg, authorized agent, attended and presented the application. Mr. Sandberg presented a site plan and explained that the subject property is currently subject to a condominium conversion application which revealed that the property boundary line separating the subject lands from the adjacent property located at 6320 Danville Road runs through the building located on that property. Mr. Sandberg indicated that the relocation of the property line is down the center of the shared access driveway which results in the requested variances.

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

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

### "Recommendation

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

### Background

#### Mississauga Official Plan

Character Area: Gateway Employment Area East  
Designation: Business Employment

#### Zoning By-law 0225-2007

Zoning: E2

#### Other Applications:

#### Comments

#### Zoning

We have no objection to the consent application provided that the severed and resultant lands comply with the provisions of Zoning By-law No. 225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to the existing building(s), on-site parking, etc., or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete.

Regarding minor variance applications: 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 consent application proposes to improve an existing encroachment. An existing industrial building at 6320 Danville Rd encroaches 7.8m on to the subject property at 6355 Kennedy Rd. The applicant is proposing to convey a parcel of land and merge the conveyed lands with the adjoining parcel to the east. The site currently operates with a shared access point and shared drive aisle. The application is not proposing any changes to the buildings.

The conveyance of land is desirable development because it betters an existing condition and creates appropriate lot configuration.

The associated minor variance applications provide reduced drive aisle widths of 3.5m on both properties for a total of 7.0m in a shared driveway condition. The existing parking spaces and driveway aisle configuration remain unchanged. The shared driveway aisle that conforms to the intent and purpose of the By-law 0225-2007. These minor variances are minor and desirable.

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

The City of Mississauga Transportation and Works Department commented as follows (June 9, 2016):

"We are noting for information purposes that any Transportation and Works concerns/requirements for this property will be addressed under Consent Application 'B' 42/16."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 13, 2016):

"We have no comments or objections to the following application A-248/16."

No other persons expressed any interest in the application.

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

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

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

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

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

Dated at the City of Mississauga on June 23, 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 13, 2016**.

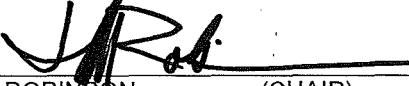
Date of mailing is June 27, 2016.



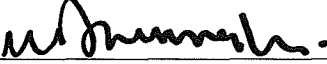
S. PATRIZIO



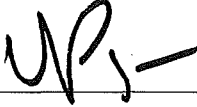
D. GEORGE



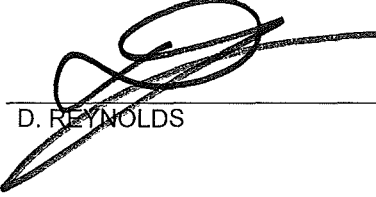
J. ROBINSON (CHAIR)



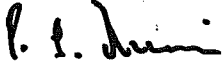
D. KENNEDY



J. PAGE



D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on June 23, 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

MANTELLA CORPORATION

on Thursday, June 16, 2016

Mantella Corporation is the owner of 6320 Danville Road being Block 7, Plan M-902, zoned E2, Employment. The applicant requests the Committee to authorize a minor variance to permit a shared driveway between the subject property and the property to the west, being the 'resultant' lands of Consent Application 'B' 42/16, proposing an aisle width of 3.50m (11.48ft.); whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (22.96ft.) and requires all aisles to be located wholly on site in this instance.

Mr. T. Sandberg, authorized agent, attended and presented the application. Mr. Sandberg presented a site plan and explained that the subject property is currently subject to a condominium conversion application which revealed that the property boundary line separating the subject lands from the adjacent property located at 6320 Danville Road runs through the building located on that property. Mr. Sandberg indicated that the relocation of the property line is down the center of the shared access driveway which results in the requested variances.

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

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

### "Recommendation

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

### Background

#### Mississauga Official Plan

Character Area: Gateway Employment Area East  
Designation: Business Employment

#### Zoning By-law 0225-2007

Zoning: E2

#### Other Applications:

#### Comments

#### Zoning

We have no objection to the consent application provided that the severed and resultant lands comply with the provisions of Zoning By-law No. 225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to the existing building(s), on-site parking, etc., or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete.

Regarding minor variance applications: 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 consent application proposes to improve an existing encroachment. An existing industrial building at 6320 Danville Rd encroaches 7.8m on to the subject property at 6355 Kennedy Rd. The applicant is proposing to convey a parcel of land and merge the conveyed lands with the adjoining parcel to the east. The site currently operates with a shared access point and shared drive aisle. The application is not proposing any changes to the buildings.

The conveyance of land is desirable development because it better an existing condition and creates appropriate lot configuration.

The associated minor variance applications provide reduced drive aisle widths of 3.5m on both properties for a total of 7.0m in a shared driveway condition. The existing parking spaces and driveway aisle configuration remain unchanged. The shared driveway aisle that conforms to the intent and purpose of the By-law 0225-2007. These minor variances are minor and desirable.

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

The City of Mississauga Transportation and Works Department commented as follows (June 9, 2016):

"We are noting for information purposes that any Transportation and Works concerns/requirements for this property will be addressed under Consent Application 'B' 42/16."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 13, 2016):

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

No other persons expressed any interest in the application.

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

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

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

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

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

Dated at the City of Mississauga on June 23, 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 13, 2016**.

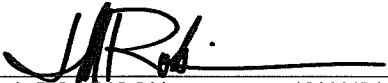
Date of mailing is June 27, 2016.



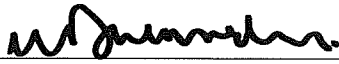
S. PATRIZIO



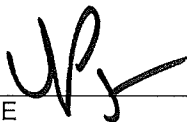
D. GEORGE



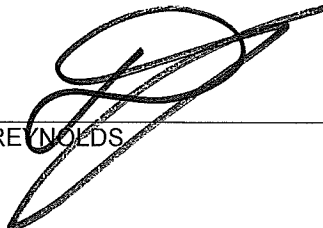
J. ROBINSON (CHAIR)




D. KENNEDY



J. PAGE



D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on June 23, 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

GILLIAN D'SILVA

on Thursday, June 16, 2016

Gillian D'Silva is the owner of 1285 Stavebank Road being Part of Lot 16, Registered Plan C-10, zoned R1-1, Residential. The applicant requests the Committee to authorize a minor variance to permit an existing accessory structure to remain in the rear yard of the subject property having:

1. an accessory structure height of 3.59m (11.78ft.); whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (9.84ft.) in this instance; and,
2. a side yard of 0.27m (0.89ft.) to an accessory structure; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) to an accessory structure in this instance.

Mr. D. Brown, authorized agent attended and presented the application. Mr. Brown presented a site plan and indicated the property received site plan approval back in 2007 and that the minor variance application has resulted from the owner seeking to have the security deposits released. Mr. Brown further explained that there were some changes made to the site plan which required some work with the Credit Valley Conservation to resolve some of their concerns and implement a restoration planting program. Mr. Brown indicated that the pool cabana structure is the subject of the minor variance application which requires the requested variances for height and a side yard setback. Mr. Brown noted that the owner has spoken to the adjoining neighbours who indicated they have no concerns with the subject application. Mr. Brown concluded by indicating that the application is minor in nature.

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

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

### "Recommendation

The Planning and Building Department has no objection to the requested variances; however, we are unable to confirm the accuracy of the requested variances or determine whether any additional variances will be required.

### Background

#### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density I, Greenbelt

**Zoning By-law 0225-2007**

**Zoning:** R1-1 (Residential)

**Other Applications:**

N/A

**Comments**

**Zoning**

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

**Planning**

The existing accessory structure is relatively small in size at 9.02 m<sup>2</sup> (97.09 sq. ft.) and is located on a large lot. The structure is located in the rear yard with some separation distance from the rear yard amenity area and dwelling of the adjacent property and should not have significant negative impacts on their lot. The requested height increase is relatively small and given the limited Gross Floor Area of the structure, any impacts that could be felt from the increased height are mitigated.

Based on the preceding information, the Planning and Building Department is of the opinion that the requested variances are minor in nature and have no objection to the requests."

The City of Mississauga Transportation and Works Department commented as follows (June 15, 2016):

"This Department has no objections to the applicants request to permit the accessory structure to remain."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 13, 2016):

"We have no comments or objections to the following application A228/16."

The Credit Valley Conservation commented as follows (June 2, 2016):

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

**Site Characteristics:**

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

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

**Ontario Regulation 160/06:**

This property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation

prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of Credit Valley Conservation (CVC) (i.e. the issuance of a permit).

**Proposal:**

The applicant requests the Committee to authorize a minor variance to permit an existing accessory structure to remain in the rear yard of the subject property having:

1. an accessory structure height of 3.59m (11.78ft.); whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (9.84ft.) in this instance; and,
2. a side yard of 0.27m (0.89ft.) to an accessory structure; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) to an accessory structure in this instance.

**Comments:**

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

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

An email was received from J. & D. Alton of 1279 Stavebank Road expressing support for the application. They indicated that the structure is attractive and poses no problem for them.

No other persons expressed any interest in the application.

Mr. Brown, upon hearing the comments of the Committee and the Planning and Building Department, requested that the application proceed as presented.

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

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

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

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

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


Dated at the City of Mississauga on June 23, 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 13, 2016.

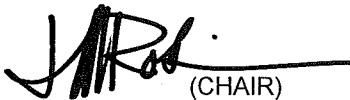
Date of mailing is June 27, 2016.




S. PATRIZIO



D. GEORGE



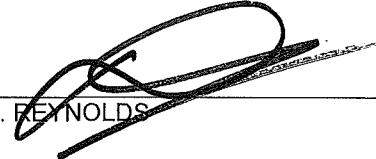
J. ROBINSON  
(CHAIR)



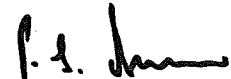
D. KENNEDY



J. PAGE

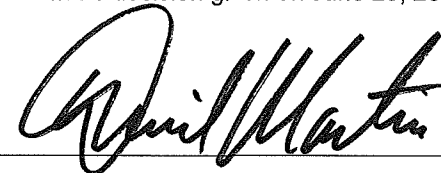


D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on June 23, 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

KATHY HORVAT

on Thursday, June 16, 2016

Kathy Horvat is the owner of 385 Antigua Road being Lot 301, Registered Plan 906, zoned R3, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new accessory structure (cabana) with two (2) attached gazebos on the subject property proposing:

1. two (2) gazebos be permitted on a lot; whereas By-law 0225-2007, as amended, permits a maximum of one (1) gazebo per lot in this instance,
2. a gazebo floor area of  $13.40\text{m}^2$  ( $43.96\text{ft.}^2$ ) for gazebo #1; whereas By-law 0225-2007, as amended, permits a maximum gazebo floor area of  $10.00\text{m}^2$  ( $32.80\text{ft.}^2$ ) in this instance,
3. a gazebo floor area of  $11.34\text{m}^2$  ( $37.20\text{ft.}^2$ ) for gazebo #2; whereas By-law 0225-2007, as amended, permits a maximum gazebo floor area of  $10.00\text{m}^2$  ( $32.80\text{ft.}^2$ ) in this instance,
4. an accessory structure floor area of  $13.38\text{m}^2$  ( $43.90\text{ft.}^2$ ); whereas By-law 0225-2007, as amended, permits a maximum accessory structure floor area of  $10.00\text{m}^2$  ( $32.80\text{ft.}^2$ ) in this instance,
5. a gazebo height of 3.65m (11.98ft) for gazebo #1; whereas By-law 0225-2007, as amended, permits a maximum gazebo height of 3.00m (9.84ft.) in this instance,
6. a gazebo height of 3.65m (11.98ft) for gazebo #2; whereas By-law 0225-2007, as amended, permits a maximum gazebo height of 3.00m (9.84ft.) in this instance; and,
7. an accessory structure height of 3.65m (11.98ft); whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (9.84ft.) in this instance.

Mr. F. Cortese, authorized agent, attended and presented the application. Mr. Cortese explained that the application is for an accessory structure in the rear yard with two gazebos attached. Mr. Cortese described the requested variances, the first variance is to allow for two (2) gazebos, variances #2, #3, and #4 are regarding the gross floor areas and variances #5, #6, and #7 speak to the height of the gazebos and accessory structures proposed.

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

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

## **"Recommendation**

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

## **Background**

### **Mississauga Official Plan**

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

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

**Zoning:** R3 (Residential)

### **Other Applications:**

Building Permit File: BP9 NEW 16-0839

## **Comments**

### **Zoning**

The Planning and Building Department is currently processing a Building Permit application for the proposed accessory structure and gazebos. Based on the review of the information in the Building Permit application, we advise that more information is required to verify the accuracy of the requested variances or determine whether additional variances will be required.

### **Planning**

The applicant is proposing to construct a new accessory structure with two attached gazebos which maintain a consistent roof line across the three structures. The lot is irregularly shaped with the rear yard backing onto Stillmeadow Road and the side yard of an adjacent lot. The structure is to be centrally located in rear yard of the subject property and exceeds the required setbacks from all lot lines. Variances #2, #3, and #4 request Gross Floor Area (GFA) increases for each of the structures; the requested increases are between 1.34 m<sup>2</sup> (14.42 sq. ft.) and 3.40 m<sup>2</sup> (36.60 sq. ft.). Variances #5, #6, and #7 request identical height increases to each of these structures to maintain a consistent roof line. Although the orientation of the accessory structures to functionally form one larger structure may create the effect of some increased massing, the central location and the low lot coverage of 23.4% help to minimize any potential negative impacts. The location of the proposed structures on the irregular shaped lot and their relation to the neighbouring properties further helps to mitigate any impacts.

Based on the preceding information, the Planning and Building Department has no objection to the requested variances; however, the applicant may wish to defer the application to submit additional information through the Building Permit application to 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 9, 2016):

"This department has no objections to the applicant's request provided that the new accessory structures be constructed such that there is no drainage impact on the abutting properties."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 13, 2016):

"We have no comments or objections to the following application A229/16."

No other persons expressed any interest in the application.

Mr. Cortese, upon hearing the comments of the Committee and the Planning and Building Department, requested that the application proceed as presented.

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

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

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

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

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

Dated at the City of Mississauga on June 23, 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 13, 2016.

Date of mailing is June 27, 2016.

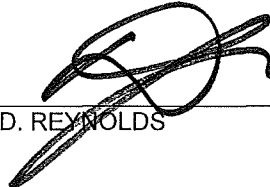
  
S. PATRIZIO


  
D. GEORGE

  
J. ROBINSON (CHAIR)

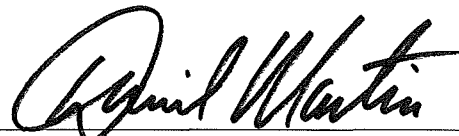
  
D. KENNEDY

  
J. PAGE

  
D. REYNOLDS

  
P. QUINN

I certify this to be a true copy of the Committee's decision given on June 23, 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

AVTAR PABLA

on Thursday, June 16, 2016

Avtar Pabla is the owner of 1182 Mount Vernon Street being Part of Lot 103 and Lot 104, Registered Plan M-1565, zoned R3-51, Residential. The applicant requests the Committee to authorize a minor variance to permit an existing accessory structure to remain and the construction of two (2) new accessory structures proposing:

1. the existing accessory structure (garden shed) to remain in the side yard of the subject property having a side yard of 0.13m (0.43ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) for an accessory structure in this instance,
2. to permit three (3) accessory structures (garden shed, pool shed, fireplace) on the subject lot; whereas By-law 0225-2007, as amended, permits a maximum of one (1) accessory structure per lot in this instance,
3. a side yard of 0.78m (2.56ft.) to the proposed accessory structure (pool shed); whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) for an accessory structure in this instance; and,
4. a side yard of 0.61m (2.00ft.) to the proposed accessory structure (fireplace); whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) for an accessory structure in this instance.

Mr. A. Pabla, property owner, attended and presented the application. Mr. Pabla presented a site plan and explained that the application is to permit two accessory structures, one to house pool equipment and the second is a fireplace. Mr. Pabla noted that the height of the fireplace is 1.52m (5.00ft.) high and not 1.83m (6.00ft.) high as noted on his drawings. Mr. Pabla explained that the existing accessory structure in the side yard was built approximately eight years ago and Mr. Pabla was not aware of the setback requirements at the time.

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

The City of Mississauga Planning and Building Department commented as follows (June 15, 2016):

### "Recommendation

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

## Background

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

Zoning: R3-51 (Residential)

### Other Applications:

N/A

## Comments

### Zoning

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

### Planning

The applicant's proposal is requesting permission for two additional accessory structures and setback reductions for all three structures. The currently existing structure in the side yard, near the front of the dwelling, is pinched by the lot line on one corner of the shed. The setback increases towards the front yard and the shed is partially screened by the existing fence extending from the front wall of the dwelling to the property line. The variance is required as a result of the shed being pushed towards the lot line because of the rear yard access along the fence beside the dwelling.

The proposed pool shed and fireplace in the rear yard both require the reduced setback at just a single point along the lot line with the condition improving along other parts of each structure. Each structure is below the permitted Gross Floor Area (GFA) and height requirements of the Zoning By-law, which will help mitigate any potential impacts from the slightly decreases setbacks. Further, the subject property has only a slightly larger lot area than where the Zoning By-law requirement changes from a required 0.61 m (2.00 ft.) to 1.20 m (3.94 ft.) meaning that similar sizes lots in the immediate area will have a range of setbacks for accessory structures.

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

The City of Mississauga Transportation and Works Department commented as follows (June 9, 2016):

"This department has no objections to the applicant's request provided that the new accessory structure (cabana) with two attached gazebos be constructed such that there is no drainage impact on the abutting properties."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 13, 2016):

"We have no comments or objections to the following application A230/16."

No other persons expressed any interest in the application.

Mr. Pabla, upon hearing the comments of the Committee and the Planning and Building Department, requested that the application proceed as presented.

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

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

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

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



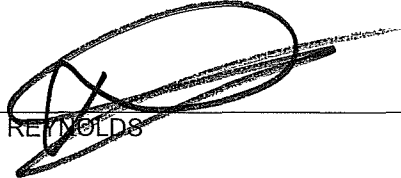
MOVED BY:	J. Page	SECONDED BY:	S. Patrizio	CARRIED
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Application Approved.

Dated at the City of Mississauga on June 23, 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 13, 2016**.

Date of mailing is June 27, 2016.

  
\_\_\_\_\_  
S. PATRIZIO  
\_\_\_\_\_  
D. GEORGE  
\_\_\_\_\_  
J. ROBINSON (CHAIR)  
\_\_\_\_\_  
D. KENNEDY  
\_\_\_\_\_  
J. PAGE  
\_\_\_\_\_  
D. REYNOLDS  
\_\_\_\_\_  
P. QUINN

I certify this to be a true copy of the Committee's decision given on June 23, 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

ORLANDO CORPORATION

on Thursday, June 16, 2016

Orlando Corporation is the owner of 6030 & 6080 Whittle Road and 85 Britannia Road East being Part of Lot 6, Concession 1, E.H.S., zoned E1-7, Employment. The applicant requests the Committee to authorize a minor variance to permit the establishment of a temporary parking lot containing 348 parking spaces to be utilized by the tenants of 155 Britannia Road West (Intria Items Inc.); whereas By-law 0225-2007, as amended, does not permit a stand-alone parking lot in this instance.

Mr. L. Malito, authorized agent, attended and presented the application. Mr. Malito explained that the owner is seeking a temporary ten (10) year approval for a stand-alone parking lot (348 parking spaces in total) where one is not permitted by the Zoning By-law. The new parking lot would be used the tenant occupying their building on an adjacent property. Mr. Malito noted that this existing building currently meets the zoning bylaw parking requirements and that the additional 150 parking spaces they will be using will be in excess of their required on-site parking. Mr. Malito also explained that the new temporary parking lot would fit in with the plans for the future development of lands. Mr. Malito noted that ample amounts of landscape buffers will be provided and he confirmed that the entrance to the proposed parking lot is already established.

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

The City of Mississauga Planning and Building Department commented as follows (June 13, 2016):

### "Recommendation

The Planning and Building Department has no objection, subject to the condition.

### Background

#### Mississauga Official Plan

Character Area: Gateway Corporate Centre

Designation: Office

#### Zoning By-law 0225-2007

Zoning: E1-7

#### Other Applications:

Site plan approval application required

## Comments

### Zoning

We note that a site plan approval application are required. In the absence of a site plan applications we are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required. It should be noted that the variance(s), as requested, have been reviewed based on information provided however a full zoning review has not been completed.

The applicant is advised that should they choose to proceed without submission of an application, a full zoning review may result in further variances being required. Alternatively, the applicant may wish to apply for a pre-zoning review application and submit working drawings in order that a detailed zoning review may be completed.

### Planning

The applicant is proposing a temporary parking lot for 10 years at the north west corner of Britannia Rd E and Whittle Rd. The parking lot would service the tenants at 155 Britannia Rd E, across the street from the subject site.

A standalone parking lot is not permitted within the zone. However, the applicant has indicated the proposed parking lot would ultimately form part of a larger office development. The proposal is minor in nature due to the temporary nature. It is our opinion that the application conforms to the general intent of the official plan and zoning by-law.

If the request for a temporary parking lot use is supported by the Committee, we recommend the following condition: the variance be approved on a temporary basis concurrent with the tenant's ten year lease.

The Planning and Building Department has no objection, subject to the condition."

The City of Mississauga Transportation and Works Department commented as follows (June 9, 2016):

"This Department has no objections to the applicant's request to permit the establishment of a temporary parking lot on the subject lands."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 13, 2016):

"We have no comments or objections to the following application A231/16."

The Ministry of Transportation commented as follows (June 15, 2106):

"The Ministry has received the submission regarding the above noted new application – (minor variance) for 6030 & 6080 Whittle Road & 85 Britannia Road East. The location of the proposal is within MTO's permit control area and permits will be required. MTO will require site plan application and drainage to be submitted by the applicant. As well, the ministry will need further clarification on how vehicles will be accessing the proposed parking lot site (ingress/egress). Once an initial package is submitted, additional information may be requested from the Ministry."

No other persons expressed any interest in the application.

Mr. Malito, upon hearing the comments of the Committee and the Planning and Building Department, requested that the application proceed as presented.

The Committee, after considering the submissions put forward by Mr. Malito and having reviewed the plans and comments from City staff, is satisfied that the request is desirable for the appropriate further development and use 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 for a temporary period of ten (10) years to coincide with the terms of the 10 year lease of the property being November 30, 2026.

MOVED BY:	P. Quinn	SECONDED BY:	D. Reynolds	CARRIED
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Application Approved, temporarily as stated.

Dated at the City of Mississauga on June 23, 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 13, 2016**.

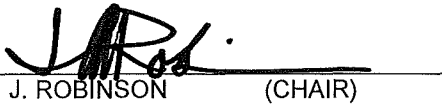
Date of mailing is June 27, 2016.



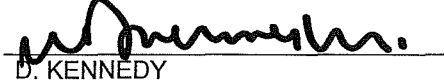
S. PATRIZIO



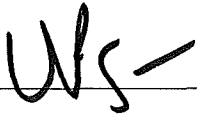
D. GEORGE



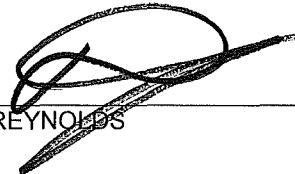
J. ROBINSON (CHAIR)



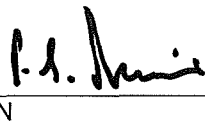
D. KENNEDY



J. PAGE



D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on June 23, 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

LUCIEN CARPENTERS LTD.

on Thursday, June 16, 2016

Lucien Carpenters Ltd. is the owner of 1146 Westport Crescent being Lot 13, Registered Plan M-240, zoned E3, Employment. The applicant requests the Committee to authorize a minor variance to continue to permit the retail sales of automobiles accessory to the existing automobile wholesale operation within Unit #8 of the subject property as previously approved pursuant to Committee of Adjustment Decision File 'A'-362/10; whereas By-law 0225-2007, as amended, makes no provisions for the retail sale of automobiles within an E3, Employment zone in this instance.

Mr. S. Yaacoubi, authorized agent and business owner, attended and presented the application. Mr. Yaacoubi explained that he has been operating the business out of Unit #8 as illustrated on the site plan, since 2009. Mr. Yaacoubi applied for a minor variance in 2010 and received a temporary five (5) year approval which has now expired and he is requesting the Committee to allow for the continuation of the use.

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

The City of Mississauga Planning and Building Department commented as follows (June 13, 2016):

### "Recommendation

The Planning and Building Department has no objection to the application, subject to the previous condition.

### Background

#### Mississauga Official Plan

Character Area: Northeast EA (west)  
Designation: Industrial

#### Zoning By-law 0225-2007

Zoning: E3

#### Other Applications:

#### Comments

#### Zoning

The referenced use was approved under zoning certificate application 10-3055, and as such we have no objections to the continued use proposed in this minor variance.

### Planning

The application is a continuation of 'A' 362/10. The applicant is proposing the continuation of accessory retail sales of automobiles within an E3 zone.

No changes are proposed to the building and no changes are indicated for the use. The applicant indicates there will not be any outdoor storage or display of vehicles offered for sale.

Previously, the committee authorized the request for a period of five years and was subject to the following condition:

All vehicles being offered for sale shall be displayed inside the subject unit and there shall be no outside storage or display of vehicles related to the retail sales operation.

The Planning and Building Department has no objection to the application, subject to the previous condition."

The City of Mississauga Transportation and Works Department commented as follows (June 9, 2016):

"This Department has no objections to continue to permit the retail sales of automobiles within Unit 8 of the subject property. From our recent site inspection we note that the applicant is adhering to the previous condition of approval imposed under 'A' 362/10 which indicated that all vehicles being offered for sale shall be displayed inside the unit and there shall be no outdoor storage or display of vehicles."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 13, 2016):

"We have no comments or objections to the following application A232/16."

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Yaacoubi and having reviewed the plans and comments from City staff, is satisfied that the request is desirable for the appropriate use 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, subject to the following condition:

1. All vehicles being offered for sale shall be displayed inside the subject unit and there shall be no outside storage or display of vehicles related to the retail sales operation.

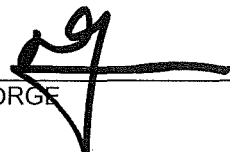
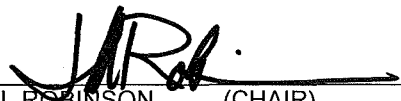
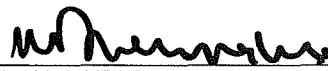
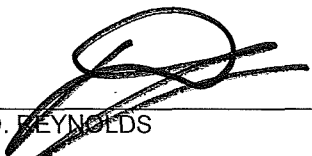
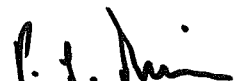
MOVED BY:	S. Patrizio	SECONDED BY:	J. Page	CARRIED
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Application Approved, on condition as stated.

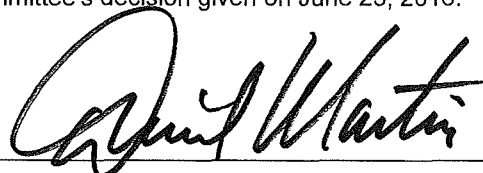
Dated at the City of Mississauga on June 23, 2016.

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 13, 2016**.

Date of mailing is June 27, 2016.

  
S. PATRIZIO  
D. GEORGE  
J. ROBINSON (CHAIR)  
D. KENNEDY  
J. PAGE  
D. REYNOLDS  
P. QUINN

I certify this to be a true copy of the Committee's decision given on June 23, 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

THE ELIA CORPORATION

on Thursday, June 16, 2016

The Elia Corporation is the owner of 1177 Central Parkway West being Part of Lots 7 and 8, Range 3, N.D.S. zoned E2-16 Employment, and C3-46 Commercial. The applicant requests the Committee to authorize a minor variance to continue to permit the operation of a Karaoke Bar (night club) and Bubble Tea within Unit # 63 of the subject property being located within 800.00m (2,624.67ft.) of a Residential zone, as previously approved pursuant to Committee of Adjustment Decision File 'A' 179/11; whereas By-law 0225-2007, as amended, requires a minimum separation distance of 800.00 m (2,624.67 ft.) measured in a straight line from the nearest part of the building or structure or portion of the building or structure containing the use, to the closest lot line of a Residential zone in this instance.

Ms. M. Starr, authorized agent, attended and presented the application for the continued use of the Karaoke Bar on the subject property. Ms. Starr requested the Committee to grant a ten (10) year approval concurrent with the recently renewed lease. Ms. Starr noted that there were a lot of comments received from area residents as a result of the 800m (2,624.67 ft.) notification area. Ms. Starr stated that she consulted with the local Councillor and there have been no complaints from area residents over the last ten (10) years the business has been operating from the subject location.

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

The City of Mississauga Planning and Building Department commented as follows (June 13, 2016):

### "Recommendation

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

### Background

#### Mississauga Official Plan

Character Area: Mavis Erindale Employment Area  
Designation: Mixed Use

#### Zoning By-law 0225-2007

Zoning: C3-46

#### Other Applications:

## Comments

### Zoning

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

The 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.

The Night Club use was approved under zoning certificate application 06-1938, and as such we have no objections to the continued Night Club use proposed in this minor variance.

### Planning

The application is proposing a continuation of 'A' 179/11, a Karaoke Bar classified as a night club in the zoning by-law. The night club is an existing use within an existing commercial plaza located in an employment area.

It received 5 year temporary approval for application 'A' 406/06 in 2006, and again in 2011. The applicant has not indicated any interior or exterior changes to the building. The applicant indicates the ownership and operations remain the same.

In the previous applications there was no indication of bubble tea in the request. It does not operate as a separate business. We recommend removing this from the request and suggest the following amendment:

To continue to permit the operation of a karaoke bar (night club) within Unit 36 of the subject property being located within 800.00m (2,624.67ft.) of a Residential zone, as previously approved pursuant to Committee of Adjustment Decision File 'A' 179/11; whereas By-law 0225-2007, as amended requires a minimum separation distance of 800.00, (2,624.67ft.) measured in a straight line from the nearest part of the building or structure or portion of the building or structure containing the use, to the closest lot line of a Residential zone in this instance.

In the opinion of the Planning and Building Department, the continuation will not result in any additional impact the area.

Previously, the committee authorized the request for a period of five years and was subject to the following condition:

No dance floor shall be permitted.

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

The City of Mississauga Transportation and Works Department commented as follows (June 9, 2016):

"This Department has no objections, comments or requirements with respect to C.A. 'A' 233."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 13, 2016):

"We have no comments or objections to the following application A233/16."

A letter was received from R. & T. France, of 4040 Black Willow Court, expressing opposition to the application. Mr. & Ms. France indicated that a night club used to operate from the same Mall back in the mid to late eighties which was a nuisance at that time due to illegal drinking and other late night activities.

A letter was received from the residents at 3297 Grechen Road, indicating no concern about the business indicated in the notice.

An email was received from T. Hinton, of 3389 Ellengale Drive, expressing opposition to the application and concern about the disturbances created by such a bar and the trouble it can cause.

An email was received from R. Mutlak, of 1314 Deer Run, expressing opposition to the application and concern about the disruption and increased activity and traffic in the neighbourhood.

An email was received from X. Tang, of 1131 Shadeland Drive, expressing opposition to the application and concern about the appropriateness of the proposed use for the area and the associated nuisances that such a use can cause.

An email was received from G. Hou, of 978 Deer Run, expressing support for the application.

An email was received from E. James, a local resident, expressing opposition to the Karaoke Bar but no concern for the Bubble Tea use. Mr. James indicated that the Karaoke Bar use will cause disruption in a safe and quite residential neighbourhood.

An email was received from Y. Qin, of 1126 Chada Avenue expressing an interest in the application.

An email was received from W. King of 4091 Teakwood Drive, expressing opposition to the application and concern about the proximity of the proposed use to the residential neighbourhood and the nuisances and the increase in traffic that may be caused by the night club use.

An email was received from B. & D. Ono of 4089 Teakwood Drive, expressing opposition to the application and concern about the proximity of the proposed use to the residential neighbourhood and the nuisances and the increase in traffic that may be caused by the night club use.

No other persons expressed any interest in the application.

Ms. Starr upon hearing the comments of the Committee and the Planning and Building Department, requested that the application be amended to remove bubble tea in accordance with their recommendations.

The Committee consented to the request and, after considering the submissions put forward by Ms. Starr and having reviewed the plans and comments received, is satisfied that the amended request is desirable for the appropriate further use of the subject property. The Committee noted that the Karaoke Bar has been operating on the subject property for ten (10) years without any complaints from local residents. The Committee recognizes the sensitivity of the night club use and therefore seeks merit in granting a temporary approval.

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to continue to permit the operation of a night club (Karaoke Bar) within Unit # 63 of the subject property being located within 800.00m (2,624.67ft.) of a Residential zone, as previously approved pursuant to Committee of Adjustment Decision File 'A' 179/11; whereas By-law 0225-2007, as amended, requires a minimum separation distance of 800.00 m (2,624.67 ft.) measured in a straight line from the nearest part of the building or structure or portion of the building or structure containing the use, to the closest lot line of a Residential zone in this instance.

Accordingly, the Committee resolves to authorize and grant the request for a temporary period of five (5) years to expire and terminate on July 31, 2021, subject to the following condition:

1. This decision is personal to "YOUNG ST KARAOKE LTD" and shall be in effect so long as the subject premises are leased and/or occupied by same.
2. No dance floor shall be permitted within the night club.


MOVED BY:	J. Page	SECONDED BY:	S. Patrizio	CARRIED
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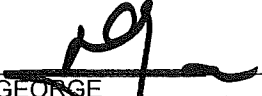
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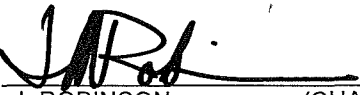
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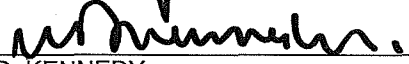
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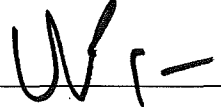
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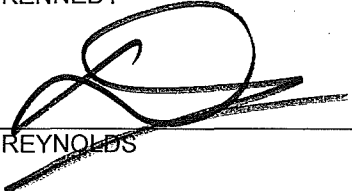
  
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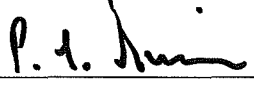
  
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J. ROBINSON (CHAIR)

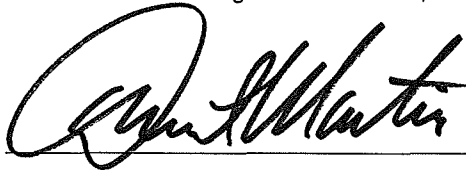
  
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J. PAGE

  
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D. REYNOLDS

  
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P. QUINN

I certify this to be a true copy of the Committee's decision given on June 23, 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

PEEL CONDOMINIUM CORPORATION # 313

on Thursday, June 16, 2016

Peel Condominium Corporation # 313 is the owner of 3065 and 3075 Ridgeway Drive, zoned C3-46. The applicant requests the Committee to authorize a minor variance to permit the establishment of a dental office within Unit # 24 of 3075 Ridgeway Drive of the subject property proposing a total of 259 parking spaces for all uses on site; whereas By-law 0225-2007, as amended, requires a minimum of 431 parking spaces for all uses on site in this instance.

Mr. N. Dell, authorized agent, attended and presented the application for a parking variance for which a parking study was submitted in support of 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 10, 2016):

### "Recommendation

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

### Background

#### Mississauga Official Plan

Character Area: Western Business Park Employment Area  
Designation: Mixed Use

#### Zoning By-law 0225-2007

Zoning: C3-46 (Commercial)

#### Other Applications:

Certificate of Occupancy File: 16-1128

### Comments

#### Zoning

The Building Department is currently processing a Certificate of Occupancy permit application and based on the review of the information contained in this application, the variances, as requested, are correct.

## Planning

The subject property has a number of previous parking variances which have been approved for similar use changes that have occurred within various units. The applicant has submitted a parking utilization study dated May 4<sup>th</sup>, 2016, prepared by Beacon Planning Services, which staff has reviewed; the study satisfactorily justifies the reduction in parking that the applicant has requested.

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

The City of Mississauga Transportation and Works Department commented as follows (June 9, 2016):

"This Department has no objections, comments or requirements with respect to C.A. 'A' 234."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 13, 2016):

"We have no comments or objections to the following application A234/16."

Mr. G. Kirton, with the City of Mississauga Planning & Building Department attended and advised the Committee that the parking study was reviewed by the Policy Planners and that he would have been advised of any necessary conditions to be included as part their recommendations if there were any.

No other persons expressed any interest in the application.

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

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

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

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

1. The hours of operation shall be Monday to Friday ~ 12:00 noon to 8:00 p.m. and Saturday ~ 9:00 am to 3:00 p.m.


MOVED BY:	S. Patrizio	SECONDED BY:	D. Reynolds	CARRIED
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Application Approved, on condition as stated.


Dated at the City of Mississauga on June 23, 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 13, 2016**.

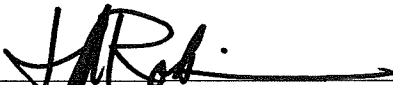
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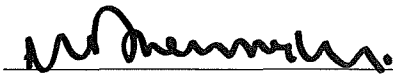
S. PATRIZIO



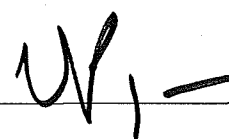
D. GEORGE



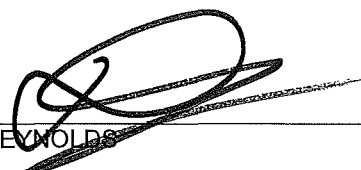
J. ROBINSON (CHAIR)



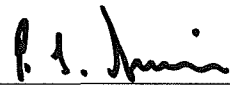
D. KENNEDY



J. PAGE



D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on June 23, 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

J & D SAHDRA INVESTMENTS LTD.

on Thursday, June 16, 2016

J & D Sahdra Investments Ltd. is the owner of 60 Lakeshore Road East being Part of Lot 15, Plan 300E, zoned C4-66, Commercial. The applicant requests the Committee to authorize a minor variance to permit the establishment of a personal service use (tattoo parlour) providing a total of seven (7) parking spaces for all uses on site; whereas By-law 0225-2007, as amended, requires a minimum of nine (9) parking spaces for all uses on site in this instance.

Mr. D. Sahdra, property owner, attended and presented the application. Mr. Sahdra explained that he has owned the building for twenty two years and that there has always been a personal service establishment occupying the 55.74sq.m. (600sq.ft.) unit. He has now rented the unit to a Tattoo Parlour which triggered a variance as a result of an increase in parking requirements. Mr. Sahdra explained that there are eight (8) parking spaces behind the building and that most customers walk to the location given the lack of available parking in Port Credit.

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

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

### "Recommendation

The Planning and Building Department recommends that the application be deferred to allow the applicant time to address the parking deficiency on site.

### Background

#### Mississauga Official Plan

Character Area: Port Credit Community Node  
Designation: Mixed Use

#### Zoning By-law 0225-2007

Zoning: C4-66 (Commercial)

#### Other Applications:

Certificate of Occupancy File: 14-3233

#### Comments

#### Zoning

The Planning and Building Department is currently processing a Certificate of Occupancy application and based on the review of this application, we advise that the variance should be amended as follows:

"The applicant requests the Committee to authorize a minor variance to permit the establishment of a personal service use (tattoo parlour) providing no addition parking; whereas By-law 0225-2007, as amended, requires a minimum of 2 parking spaces for the proposed use in this instance."

We are unable to determine the required number of parking spaces for the site as a result of a lack of information contained within the application, as well as within the City records. Therefore, the application should deal with the proposed use only.

### **Planning**

We advise that we are not in receipt of a parking utilization study and that the subject property is within an area where the Payment-in-lieu (PIL) of parking program applies. Therefore, the applicant should select one of the following options to deal with the deficiency of parking on the site:

Apply for a PIL application for consideration for the entire parking deficiency. Through the application process the developer/proponent contribution will be calculated for the requested parking deficiency; or

Provide a satisfactory parking utilization study to justify a reduction in the number of parking spaces for PIL.

Based on the preceding information, the Planning and Building Department recommends that the application be deferred to allow the applicant time to address the parking deficiency on site."

The City of Mississauga Transportation and Works Department commented as follows (June 9, 2016):

"This Department has no objections, comments or requirements with respect to C.A. 'A' 235/16."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 13, 2016):

"We have no comments or objections to the following application A235/16."

Mr. B. Forth, located at 42 Lakeshore Road East, attended and expressed support for the application. Mr. Forth indicated that the exemption from the parking requirements and PIL would be appropriate in this area of Port Credit. Mr. Forth also noted that Mr. Sahdra has been a local business owner and active member of the local business community for a very long time.

No other persons expressed any interest in the application.

Mr. D. Martin, the Secretary Treasurer of the City of Mississauga clarified to the Committee the recommendation made by the Planning & Building Department to amend the requested variance. Mr. Martin explained that the amendment should request that zero additional parking spaces are required for the proposed use versus that no additional parking spaces are required for the proposed use as suggested by Planning staff. Mr. Martin explained that the parking requirement is specific to the Tattoo Parlour unit and will not affect the parking requirements for the rest of the building.

Mr. Sahdra, 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. Sahdra and having reviewed the plans and comments received, is satisfied that the amended request is desirable for the appropriate further development of the subject property. The Committee recognized that the unit has been operating as a personal service use for over twenty (20) years and given the parking situation in Port Credit, the Committee did not think it was appropriate to impose the parking and PIL requirements in this instance.

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the establishment of a personal service use (tattoo parlour) providing zero (0) parking spaces be provided; whereas By-law 0225-2007, as amended, requires a minimum of two (2) parking spaces be provided for the proposed use in this instance.

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

Dated at the City of Mississauga on June 23, 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 13, 2016**.


Date of mailing is June 27, 2016.



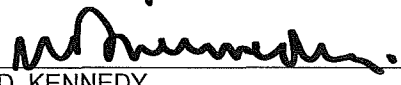
S. PATRIZIO



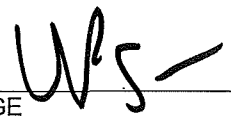
D. GEORGE



J. ROBINSON (CHAIR)



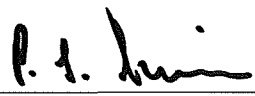
D. KENNEDY



J. PAGE

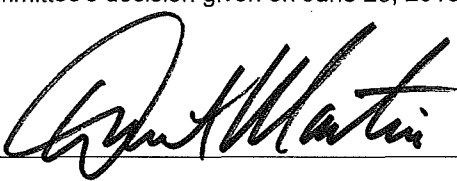


D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on June 23, 2016.



DAVID L. MARTIN, SECRETARY-TREASURER

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

**NOTES:**

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

## COMMITTEE OF ADJUSTMENT

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

PETER FONSECA

on Thursday, June 16, 2016

Peter Fonseca is the owner of 980 Runningbrook Drive being Lot 1, Plan 758 and Block E, Plan 769, zoned R3, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of an addition to the existing dwelling proposing:

1. a front yard of 7.39m (24.24ft.); whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (24.60ft.) in this instance;
2. a side yard of 1.51m (4.95ft.) to the second storey; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (5.93ft.) to the second storey in this instance;
3. four (4) accessory structures on the lot; whereas By-law 0225-2007, as amended, permits a maximum of one (1) accessory structure per lot in this instance;
4. a side yard of 0.30m (0.98ft.) and a rear yard of 0.86m (2.82ft.) to the accessory structure; whereas By-law 0225-2007, as amended, requires a minimum side yard and minimum rear yard of 1.20m (3.93ft.) in this instance;
5. a side yard of 0.61m (2.00ft.) to the accessory structure located in the side yard; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) in this instance;
6. a floor area of 11.20m<sup>2</sup> (120.55sq.ft.) for the accessory structure (shed #3); whereas By-law 0225-2007, as amended, permits a maximum floor area of 10.00m<sup>2</sup> (107.64sq.ft.) for an accessory structure in this instance;
7. a window well to encroach 1.01m (3.31ft.) into the required front yard; whereas By-law 0225-2007, as amended, permits a maximum encroachment of 0.61m (2.00ft.) into the front yard in this instance; and,
8. a height of 3.50m (11.48ft.) for an accessory structure (shed); whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (9.84ft.) for an accessory structure in this instance.

Mr. P. DaCunha, authorized agent, attended and presented the application to construct a second storey addition and redesign the roof line of the existing dwelling. Mr. DaCunha presented a site plan and explained that variance #1 is indeed very minor as a result of a slight protrusion of the building into the front yard. He indicated that variance #2 requests a side yard setback because the proposed addition is maintaining the existing setback to the garage which is an existing condition. Mr. DaCunha explained that variance #7 is required to provide a window well for a basement window which encroaches into the front yard but has no impact as a result. He also explained that variances #3, #4, #5, and #6 are related



to the existing accessory structures which have been inherited by the owners with the purchase of the home. Mr. DaCunha noted that there is no visual impact to the neighbouring properties from the accessory structures.

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

The City of Mississauga Planning and Building Department commented as follows (June 15, 2016):

**"Recommendation**

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

**Background**

**Mississauga Official Plan**

Character Area: Applewood Neighbourhood  
Designation: Residential Low Density I

**Zoning By-law 0225-2007**

**Zoning:** R3

**Other Applications:**

Building Permit Application file 16-586

**Comments**

**Zoning**

The Building Department is currently processing a building permit application under file 16-586. Based on review of the information currently available for this building permit, we advise that the variance request should be amended as follows:

4. a setback of 0.30m to the side lot line and 0.86m to the rear lot line from an accessory structure; whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m to both lot lines in this instance; and,
5. a setback of 0.61m to the side lot line from an accessory structure located within the interior side yard; whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m in this instance.
- 9) a setback of 0.77 to the front lot line from an accessory structure; whereas By-Law 0225-2007, as amended, requires the great of 6.0m or the same distance to the street as the front wall of the dwelling on the same lot in this instance.

**Planning**

The application proposes an addition to an existing house and the recognition of existing accessory structures.

The subject site is a large corner lot; significantly larger than other neighbourhood corner lots, and more than double the frontage of interior lots. The existing house and neighbourhood date from 1966. Pools are a very common characteristic of Runningbrook Drive.

The proposed addition will add a second storey on the rear of the dwelling, and a small addition to the front. Variances #1, #2, and #7 relate to the proposed addition. Variance #1 for a reduced front yard is minor and desirable because it emphasizes living quarters while deemphasizes the garage. Variance #2 for a reduced setback to the second storey is minor because it does not run along the entire depth of the dwelling. Variance #7 for a window well encroachment is minor because it will be shielded by landscaping.

The proposed addition variances are in keeping with the general intent of the zoning by-law and the official plan.

Variances #3, #4, #5, #6, #8, #9 are for existing accessory structures. A pool has existed on the subject site since 1998. There are no proposed changes for the accessory structures.

Four accessory structures and the proposed addition to the dwelling will result in total lot coverage of 20%, well below the maximum allowable lot coverage of 35%.

The requested variances for side yard and rear yard setbacks for accessory structures are existing conditions, shielded by mature landscaping, and not visible from neighbouring properties.

The accessory structure (stone and frame shed #3) requires variances for increased height and floor area. Given the size of the lot, the setback of this structure from the lot line, we are in the opinion this is minor and in keeping with the scale and character of the neighbourhood.

Variance #9 is to permit an accessory structure in the front yard. As stated above, the lot is a large corner property. While the property is oriented toward Runningbrook Drive, the side yard and a portion of the front yard is fenced as one, and in effect acts as a backyard for the dwelling. There is a double hedge of cedars enveloping both sides of the wooden privacy fence in addition to the mature landscaping on both private property and on the municipal boulevard. This particular accessory structure does not require a height variance is well shielded by the fence.

In sum, the accessory structure variances recognize an existing condition within a large, unique and well landscaped lot, and will not cause new impact to the neighbourhood.

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

The City of Mississauga Transportation and Works Department commented as follows (June 9, 2016):

"This department has no objections to the applicant's request to permit the construction of an addition to the existing dwelling. We are also noting for information purposes that any Transportation and Works concerns/requirements for this property will be addressed through the Building Permit Process."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 13, 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."

No other persons expressed any interest in the application.

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

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of an addition to the existing dwelling proposing:

1. a front yard of 7.39m (24.24ft.); whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (24.60ft.) in this instance;
2. a side yard of 1.51m (4.95ft.) to the second storey; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (5.93ft.) to the second storey in this instance;
3. four (4) accessory structures on the lot; whereas By-law 0225-2007, as amended, permits a maximum of one (1) accessory structure per lot in this instance;
4. a setback of 0.30m to the side lot line and 0.86m to the rear lot line from an accessory structure; whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m to both lot lines in this instance;
5. a setback of 0.61m to the side lot line from an accessory structure located within the interior side yard; whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m in this instance;
6. a floor area of 11.20m<sup>2</sup> (120.55sq.ft.) for the accessory structure (shed #3); whereas By-law 0225-2007, as amended, permits a maximum floor area of 10.00m<sup>2</sup> (107.64sq.ft.) for an accessory structure in this instance;
7. a window well to encroach 1.01m (3.31ft.) into the required front yard; whereas By-law 0225-2007, as amended, permits a maximum encroachment of 0.61m (2.00ft.) into the front yard in this instance;
8. a height of 3.50m (11.48ft.) for an accessory structure (shed); whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (9.84ft.) for an accessory structure in this instance; and,
9. a setback of 0.77m (2.52ft.) to the front lot line from an accessory structure; whereas By-law 0225-2007, as amended, requires the great of 6.00m (19.68ft.) or the same distance to the street as the front wall of the dwelling on the same lot in this instance.

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

Dated at the City of Mississauga on June 23, 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 13, 2016**.


Date of mailing is June 27, 2016.



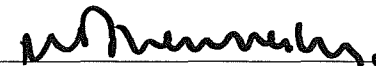
S. PATRIZIO



D. GEORGE



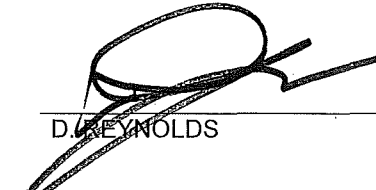
J. ROBINSON (CHAIR)




D. KENNEDY



J. PAGE



D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on June 23, 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

KREST PROPERTIES LTD.

on Thursday, June 16, 2016

Krest Properties Ltd. is the owner of 1107 Lorne Park Road being Blocks A-C, E-I, and Part of Blocks J, X, and Z, zoned C4, Commercial. The applicant requests the Committee to authorize a minor variance to permit the continued operation of a restaurant (located within Units 6, 7 and 8) and accessory outdoor patio on the subject property, being located closer than 60.00m (196.85ft.) to a Residential zone; whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.00m (196.85ft.) from a restaurant to a Residential zone and does not permit an outdoor patio use in this instance.

Mr. B. Forth, authorized agent, attended and presented the application. Mr. Forth explained that the same application has been before the Committee six times before and he is requesting a permanent approval personal to the restaurant business from the Committee.

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

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

### **"Recommendation**

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

### **Background**

#### **Mississauga Official Plan**

Character Area: Clarkson-Lorne Park Neighbourhood  
Designation: Mixed Use

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

**Zoning:** C4 (Commercial)

#### **Other Applications:**

N/A

#### **Comments**

#### **Zoning**

The Planning and Building Department notes that the use was previously approved under zoning certificate application 93-5299.

### Planning

The requested variance is to allow for the continuation of the restaurant use and associated patio within 60.00 m (196.85 ft.) of a residential zone. We are not aware of any complaints or concerns with the use since the previous approval in 2009 under file A 190/09. This plaza contains a number of restaurant uses; the continuation of the restaurant and patio in units #6, #7, and #8 should not have a negative impact on any nearby residential properties and is a minor request in our opinion.

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

The City of Mississauga Transportation and Works Department commented as follows (June 9, 2016):

"This Department has no objections, comments or requirements with respect to C.A. 'A' 238/16."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 13, 2016):

"We have no comments or objections to the following application A238/16."

An email was received from G. Zhou, of 1151 Queen Street West, expressing concern with the patio but not the continuation of the restaurant.

An email was received from S. Shelswell of 1058 Chateau Court, expressing concern over the proposed patio license incorporating outdoor music and drinking and the associated noise and potential for destructive behavior in a residential area.

A letter was received from M. Kim of 1070 Chateau Court, expressing concern about the operation of the patio associated with the restaurant. Mr. Kim is concerned about the noise and speakers that play music daily until close.

A fax was received from H. Krutkiewicz of 1062 Chateau Court, expressing concern and objection to the application. Mr. Krutkiewicz specifically objects to the outdoor patio and music.

An email was received from H.Y.M. Cheng of 1082 Chateau Court, expressing objection to outdoor patios at the plaza. Ms. Cheng indicated concern about the noise that is generated by an outdoor patio and the disruption to the neighbourhood.

An email was received from B. Kravchuk & I. Tsipyk of 1143 Queen Street West, expressing objection and concern about noisy music late at night coming from the outdoor patio.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Forth and having reviewed the plans and comments from City staff, is satisfied that the request is desirable for the appropriate use of the subject property. The Committee noted that there have been no formal complaints made during the operation of the restaurant up until now and recognizes the sensitivity of such a use and the comments made by local residents about the noise associated with the outdoor patio.

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 for a temporary period of two (2) years to expire and terminate on July 31, 2018, subject to the following condition:

1. This decision is personal to "TU CASA INC." and shall be in effect so long as the subject premises are leased and/or occupied by same.
2. There shall be no music on the outdoor patio.
3. The outdoor patio shall be closed daily by 11:00 pm..

MOVED BY:	D. George	SECONDED BY:	S. Patrizio	CARRIED
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Application Approved, temporarily, on conditions as stated.

Dated at the City of Mississauga on June 23, 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 13, 2016**.

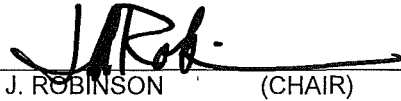
Date of mailing is June 27, 2016.



S. PATRIZIO

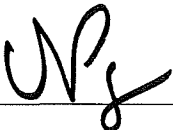


D. GEORGE

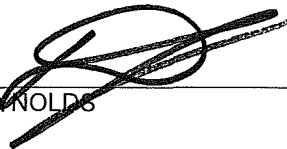


J. ROBINSON (CHAIR)

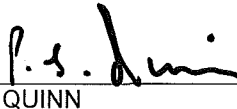
ABSENT  
D. KENNEDY



J. PAGE




D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on June 23, 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

DUNSIRE (HAIG) INC.

on Thursday, June 16, 2016

Dunsire (Haig) Inc. is the owner of 1209 Haig Boulevard and 1209-1235 Azinger Lane being Part of Lot 7, Concession 2, S.D.S., zoned RM3-3, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a dwelling unit on a lot (being Lot 8 on Proposed Plan of Subdivision 21T-13003 - 1235 Azinger Lane) proposing a front yard of 4.00m (13.12ft.); whereas By-law 0225-2007, as amended, requires a minimum front yard of 4.50m (14.76ft.) in this instance.

Mr. G. Broll, of Glenn Schnarr & Associates, authorized agent, attended and presented the application. Mr. Broll explained that the variances were a result of detailed surveyor calculations and the determination of what constitutes an exterior side yard and a front yard. Mr. Broll indicated that with these common element condominiums setbacks are measured to the property line versus the edge of the curb as would be the case with a regular condominium. The variance is very small, requesting a front yard of 4.00m (13.12ft.); whereas the zoning By-law requires a minimum front yard of 4.50m (14.76ft.). Mr. Broll concluded that this is a technical variance that meets the four tests and would allow his client to move forward through the site plan approval process.

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

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

### "Recommendation

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

### Background

#### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density I, Open Space

#### Zoning By-law 0225-2007

Zoning: RM3-3 (Residential)

#### Other Applications:

Site Plan Approval File: 13/177

## Comments

### Zoning

The Planning and Building Department is currently processing a Site Plan Approval application and based on the review of the information currently available with this application, more information is required to verify the accuracy of the requested variance or determine whether additional variances will be required. However, based on the drawings provided, it appears that the variance request for 'A' 239/16 should be amended to propose a front yard setback of 3.33 m (10.83 ft.) as opposed to the requested 4.00 m (13.12 ft.).

### Planning

The requested variances are required on different corner lots where the roads turn and create pinch points to the dwellings. The rest of the dwelling complies with the Zoning By-law requirements and the front yard conditions improve as your move away from the pinch point until they comply, directly in front of the dwelling. The Department is of the opinion that the general intent of the Zoning By-law is maintained with regards to appropriate separation distance from the front lot line.

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

The City of Mississauga Transportation and Works Department commented as follows (June 9, 2016):

"We note for Committee's information that the City is currently processing a Site Plan Application for this property, Reference SP 13/177. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 13, 2016):

"We have no comments or objections to the following application A239/16."

The Credit Valley Conservation commented as follows (May 25, 2016):

"The above noted property is outside of the Credit Valley Conservation (CVC) Regulated Area. As such, CVC has no comment regarding these applications, the cheque will be returned to the applicants."

No other persons expressed any interest in the application.

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

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of a dwelling unit on a lot (being Lot 8 on Proposed Plan of Subdivision 21T-13003 - 1235 Azinger Lane) proposing a front yard of 3.30m (10.83ft.); whereas By-law 0225-2007, as amended, requires a minimum front yard of 4.50m (14.76ft.) in this instance.

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

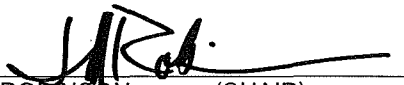
Dated at the City of Mississauga on June 23, 2016.

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 13, 2016**.

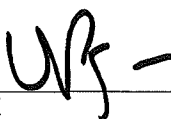
Date of mailing is June 27, 2016.

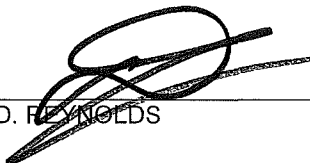
  
S. PATRIZIO


  
D. GEORGE

  
J. ROBINSON (CHAIR)

ABSENT  
D. KENNEDY

  
J. PAGE

  
D. REYNOLDS

  
P. QUINN

I certify this to be a true copy of the Committee's decision given on June 23, 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

DUNSIRE (HAIG) INC.

on Thursday, June 16, 2016

Dunsire (Haig) Inc. is the owner of 1209 Haig Boulevard and 1209-1235 Azinger Lane being Part of Lot 7, Concession 2, S.D.S., zoned RM3-3, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a dwelling unit on a lot (being Lot 9 on Proposed Plan of Subdivision 21T-13003 - 1234 Azinger Lane) proposing a front yard of 2.90m (9.51ft.); whereas By-law 0225-2007, as amended, requires a minimum front yard of 4.50m (14.76ft.) in this instance.

Mr. G. Broll, of Glenn Schnarr & Associates, authorized agent, attended and presented the application. Mr. Broll explained that the variances were a result of detailed surveyor calculations and the determination of what constitutes an exterior side yard and a front yard. Mr. Broll indicated that with these common element condominiums setbacks are measured to the property line versus the edge of the curb as would be the case with a regular condominium. The variance is very small, requesting a front yard of 2.90m (9.51ft.); whereas the Zoning By-law requires a minimum front yard of 4.50m (14.76ft.). Mr. Broll concluded that this is a technical variance that meets the four tests and would allow his client to move forward through the site plan approval process.

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

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

### "Recommendation

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

### Background

#### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density I, Open Space

#### Zoning By-law 0225-2007

Zoning: RM3-3 (Residential)

#### Other Applications:

Site Plan Approval File: 13/177

## **Comments**

### **Zoning**

The Planning and Building Department is currently processing a Site Plan Approval application and based on the review of the information currently available with this application, more information is required to verify the accuracy of the requested variance or determine whether additional variances will be required. However, based on the drawings provided, it appears that the variance request for 'A' 239/16 should be amended to propose a front yard setback of 3.33 m (10.83 ft.) as opposed to the requested 4.00 m (13.12 ft.).

### **Planning**

The requested variances are required on different corner lots where the roads turn and create pinch points to the dwellings. The rest of the dwelling complies with the Zoning By-law requirements and the front yard conditions improve as your move away from the pinch point until they comply, directly in front of the dwelling. The Department is of the opinion that the general intent of the Zoning By-law is maintained with regards to appropriate separation distance from the front lot line.

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

The City of Mississauga Transportation and Works Department commented as follows (June 9, 2016):

"We note for Committee's information that the City is currently processing a Site Plan Application for this property, Reference SP 13/177. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 13, 2016):

"We have no comments or objections to the following application A240/16."

The Credit Valley Conservation commented as follows (May 25, 2016):

"The above noted property is outside of the Credit Valley Conservation (CVC) Regulated Area. As such, CVC has no comment regarding these applications, the cheque will be returned to the applicants."

No other persons expressed any interest in the application.

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

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

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

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

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

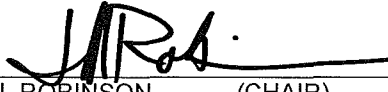
Dated at the City of Mississauga on June 23, 2016.

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Date of mailing is June 27, 2016.

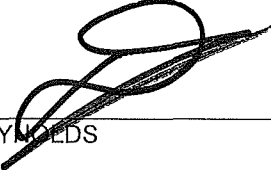
  
S. PATRIZIO


  
D. GEORGE

  
J. ROBINSON (CHAIR)

ABSENT  
D. KENNEDY

  
J. PAGE

  
D. REYNOLDS

  
P. QUINN

I certify this to be a true copy of the Committee's decision given on June 23, 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

DUNSIRE (HAIG) INC.

on Thursday, June 16, 2016

Dunsire (Haig) Inc. is the owner of 1173, 1177 and 1179 Haig Boulevard, 1161-1196 Carnegie Drive, and 1201-1223 Owls Head Road being Part of Lot 7, Concession 2, S.D.S., zoned OS2-1, Open Space and RM3-2, Residential and RM3-3, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a dwelling unit on a lot (being Lot 22 on Proposed Plan of Subdivision 21T-13002 - 1196 Carnegie Drive) proposing:

1. a front yard of 3.00m (9.84ft.); whereas By-law 0225-2007, as amended, requires a minimum front yard of 4.50m (14.76ft.) in this instance;
2. a porch encroachment of 2.20m (7.21ft.) into the front yard; whereas a maximum porch encroachment of 1.50m (4.92ft.) into the front yard is permitted in this instance; and,
3. a setback of 5.30m (17.38ft.) to the front garage face; whereas By-law 0225-2007, as amended, requires a minimum setback of 6.00m (19.68ft.) to the front garage face in this instance.

Mr. G. Broll, of Glenn Schnarr & Associates, authorized agent, attended and presented the application. Mr. Broll explained that the variances were a result of detailed surveyor calculations and the determination of what constitutes an exterior side yard and a front yard. Mr. Broll indicated that with these common element condominiums setbacks are measured to the property line versus the edge of the curb as would be the case with a regular condominium. The variances are very small, requesting a front yard of 3.00m (9.84ft.); whereas the zoning By-law requires a minimum front yard of 4.50m (14.76ft.). Mr. Broll noted that the porch encroachment is a result of the grading on the property which requires two (2) additional risers to the top of the front porch. He also noted that the third variance is required because the setback to the front garage face is measured at an angle but there is actually 6.00m (19.68ft.) to the front garage face from the property line. Mr. Broll concluded that these are technical variances that meet the four tests and would allow his client to move forward through the site plan approval process.

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

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

### **"Recommendation**

The Planning and Building Department has no objection to the requested variances; however, the applicant may wish to defer the applications to submit additional information



through the Site Plan Approval application to verify the accuracy of the requested variances and to determine whether any additional variances will be required.

## **Background**

### **Mississauga Official Plan**

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density I, Open Space

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

**Zoning:** RM3-3 (Residential)

### **Other Applications:**

Site Plan Approval File: 13/177

## **Comments**

### **Zoning**

The Planning and Building Department is currently processing a Site Plan Approval application and based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variances or determine whether additional variances will be required. However, it appears that variance #2 should be amended to reflect a 2.29 m (7.51 ft.) porch encroachment as opposed to the requested 2.20 m (7.21 ft.).

### **Planning**

Similarly to applications 'A' 239/16 and 'A' 240/16, the variances are required as a result of a pinch point where the corner lot curves. The requested setback reductions improve directly in front of the dwelling as you move away from the pinch point and the reductions should not have any negative impacts on the streetscape or the functionality of the site.

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

The City of Mississauga Transportation and Works Department commented as follows (June 9, 2016):

"We note for Committee's information that the City is currently processing a Site Plan Application for this property, Reference SP 13/177. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (June 13, 2016):

"We have no comments or objections to the following application A241/16."

The Credit Valley Conservation commented as follows (May 25, 2016):

"The above noted property is outside of the Credit Valley Conservation (CVC) Regulated Area based on the most current available information. As such, CVC has no comment regarding this application. The fee will be returned to the applicants. We continue to note that the subject lands will be subject to updated floodplain mapping of Serson Creek and CVC should continue to be circulated on any future applications on the subject lands."

No other persons expressed any interest in the application.

Mr. Broll upon hearing the comments of the Committee and the Planning and Building Department, requested that the application be amended to reflect a porch encroachment of 2.70m (8.85ft.) in accordance with other staff recommendations.

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

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of a dwelling unit on a lot (being Lot 22 on Proposed Plan of Subdivision 21T-13002 - 1196 Carnegie Drive) proposing:

1. a front yard of 3.00m (9.84ft.); whereas By-law 0225-2007, as amended, requires a minimum front yard of 4.50m (14.76ft.) in this instance;
2. a porch encroachment of 2.70m (8.85ft.) into the front yard; whereas a maximum porch encroachment of 1.50m (4.92ft.) into the front yard is permitted in this instance; and,
3. a setback of 5.30m (17.38ft.) to the front garage face; whereas By-law 0225-2007, as amended, requires a minimum setback of 6.00m (19.68ft.) to the front garage face in this instance.

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


Dated at the City of Mississauga on June 23, 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 13, 2016**.

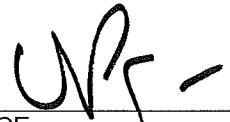
Date of mailing is June 27, 2016.

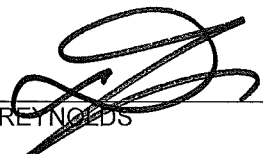
  
S. PATRIZIO


  
D. GEORGE

  
J. ROBINSON (CHAIR)

ABSENT  
D. KENNEDY

  
J. PAGE

  
D. REYNOLDS

  
P. QUINN

I certify this to be a true copy of the Committee's decision given on June 23, 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

HOSSAIN ABDUL KHAER MOHAMMED & BEGUM GULSHAN ARA

on Thursday, June 16, 2016

Hossain Abdul Khaer Mohammed & Begum Gulshan Ara are the owners of 6462 Donway Drive being Lot 4, Registered Plan M-1059, zoned R3-15, Residential. The applicants request the Committee to authorize a minor variance to permit an existing driveway to be modified and remain on the subject property having:

1. a driveway width of 8.50m (27.88ft.); whereas Bylaw 0225-2007, as amended, permits a maximum driveway width of 6.00m (19.68ft.) in this instance,
2. a walkway attached to a driveway with an attachment of 6.20m (20.34ft.); whereas Bylaw 0225-2007, as amended, permits a walkway attached to a driveway with a maximum attachment of 1.50m (4.92ft.) in this instance.

On May 5, 2016, Mr. H.A. Kaer Mohammed, co-owner of the property, attended and presented the application. He advised that he purchased the property in 2003. Mr. Mohammed presented an aerial photograph taken in 2003 and illustrated to the Committee that the driveway was in its present location at that time. He advised that since that time, there have been no problems associated with the driveway and they have not received any complaints. He indicated that the wider driveway was a feature that he liked about the property when he purchased the home.

Mr. Mohammed advised that he applied for a building permit to obtain an accessory apartment unit and was issued the permit. He indicated that an inspector later advised that the driveway was too wide.

Mr. Mohammed indicated that he has a large family and they require six (6) parking spaces plus an additional parking space for the tenant who will occupy the basement. He requested that the driveway remain as it exists.

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

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

### "Recommendation

The Planning and Building Department recommends refusal of the application.

### Background

### Mississauga Official Plan

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

**Zoning By-law 0225-2007**

**Zoning: R3-15**

**Other Applications:**

CSU 14/3894 Second Unit Permit

**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 and walkway width provides excessive hard surface, and space for five 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. The current driveway does not reinforce or enhance the character of the neighbourhood nor the quality of the streetscape.

Further, the excessive driveway and walkway width is directly related to the deficiency of soft landscaping area requested in variance #2. The soft landscaping area would comply if the driveway was adequately reduced in width.

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

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

"This department is not supportive of the existing driveway as widened, in particular the portion over the City's municipal boulevard area. In view of the above we would recommend that the application be refused or alternatively 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.

It is also evident from our site inspection that the existing curb has been widened on this property, however, this department could not find any records of a curb cut request/approval for this property. In view of the above we would suggest that the applicant defer the application and make satisfactory arrangements with both the Planning and Building and Transportation and Works Department with regards to any required modifications. Upon further information being provided staff will also be able to advise if any re-instatement to the existing curb cut will be required."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (April 29, 2016):

"We have no comments or objections."

A letter was received from the Ministry of Transportation indicating the lands are located outside the ministry permit control area and no permits are required.

A letter was received from K. Mahoon, property owner at 6462 Donway Drive, expressing no objection to the application.

A letter was received from A. Merchant, property owner at 6466 Donway Drive, expressing no objection to the application.

A letter was received from F. Vita, property owner at 6465 Donway Drive, expressing no objection to the application.

No other persons expressed any interest in the application.

The Committee indicated that they must consider the request based upon the four tests and if they were to rule on the current proposal, it would likely fail.

Mr. Mohammed requested that he have an opportunity to meet with staff to discuss the driveway width and address the Committee's concerns.

The Committee consented to the request and the application was deferred to June 16, 2016.

On June 16, 2016, Mr. H.A. Kaer Mohammed, co-owner of the property, attended and presented the application. He explained that he bought the house in 2003 with the driveway already widened. Mr. Mohammed indicated that when he applied for a second unit license the widened driveway issue was identified. Mr. Mohammed presented a site plan of the redesigned driveway proposal.

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

The City of Mississauga Planning and Building Department commented as follows (June 13, 2016):

**"Recommendation**

The Planning and Building Department has no objection to the requested driveway variance, but recommends refusal of the walkway variance.

**Background**

**Mississauga Official Plan**

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

**Zoning By-law 0225-2007**

**Zoning:** R3-15

**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

Application 'A' 179/16 was originally heard on the May 5, 2016 agenda. The applicant has since met with staff from Planning and Building and Transportation and Works and has redesigned the driveway.

The subject site is a 688m<sup>2</sup> corner lot whereas the minimum lot area for a corner lot in this instance is 550m<sup>2</sup>. Three sides of the lot are surrounded by a municipally owned boulevard; greatly emphasizing the visual appearance of the soft area landscaping, while deemphasizing the hard surface. The lot is shielded by mature landscaping.

The consultations with the applicant focused on the width of the driveway as well as the reinstatement of the municipally owned boulevard. The current driveway is a longstanding condition, but did not receive any minor variance approvals. The proposed driveway width is a significant reduction compared to the current condition. The Planning and Building Department supports the driveway variance.

The proposed walkway as indicated on the revised site plan is not supported by staff. The proposed walkway is large enough to be used for vehicular parking, which is not the intent of the zoning by-law. Staff can support a walkway attachment of 2.64m, as requested on the original application.

In addition, the revised application no longer requires a variance for soft area landscaping.

The Planning and Building Department has no objection to the requested driveway variance, but recommends refusal of the walkway variance."

The City of Mississauga Transportation and Works Department commented as follows (June 9, 2016):

"Further to our comments submitted for the May 5, 2016 Hearing we are advising that City staff have met with the owner and advised what modifications would be required to the existing driveway in order that we can support the request. The owner has provided a revised Site Plan received and stamped by the Committee of Adjustment Office and recirculated to City staff for review on May 30, 2016. In view of the above we are advising that the Transportation and Works Department can support the proposed modifications, in particular the restoration of portions of the interlock driveway with a sodded area in the areas of the municipal boulevard and as depicted on the submitted Site Plan DWG No. A1.0 dated May 30, 2016."

No other persons expressed any interest in the application.

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

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

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

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

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

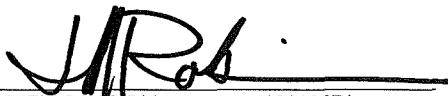
Dated at the City of Mississauga on June 23, 2016.

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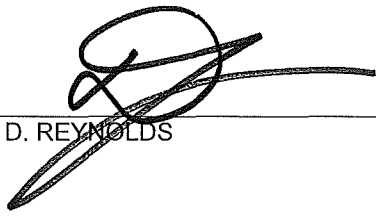
  
S. PATRIZIO

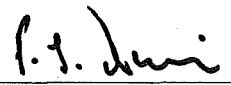
  
D. GEORGE

  
J. ROBINSON (CHAIR)

ABSENT  
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 23, 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.