

COMMITTEE OF ADJUSTMENT AGENDA



Location: COUNCIL CHAMBER
Hearing: NOVEMBER 10, 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
<u>NEW APPLICATIONS - (CONSENT)</u>				
B-075/16 A-460/16	KENT & KATHRYN GREENIAS	1247 WHITEOAKS AVE	2	Approved Approved
B-076/16 A-451/16	THE ERIN MILLS DEVELOPMENT CORPORATION CONSEIL SCOLAIRE DE DISTRICT CATHOLIQUE CENTRE-SUD (BY PURCHASE & SALE)	0 ODYSSEY DR 0 ODYSSEY DR	8 8	Withdrawn Refused
<u>DEFERRED APPLICATIONS - (CONSENT)</u>				
B-002/16 TO B-005/16 A-013/16 TO A-017/16	ADINA DI BLASIO	2365 CAMILLA RD	7	Jan. 12 (Peremptory)
B-66/16	D'ARCY R. BIRD	126 CUMBERLAND DR	1	Approved
B-070/16 TO B-072/16 A-405/16 TO A-407/16	ANN MARIE DULCIE SAWH	1623 CORMACK CRES	1	Withdrawn
<u>NEW APPLICATIONS - (MINOR VARIANCE)</u>				
A-448/16	CAMCENTRE HOLDINGS INC.	151 CITY CENTRE DR	4	Approved
A-449/16	MILISAV STOJAHOVIC	1041 HAIG BLVD	1	Approved (in part)
A-450/16	TAREK BASTA & LIGIA M REYES	3555 QUEENSTON DR	6	Jan 19
A-452/16	FIRST CAPITAL HOLDINGS (ONTARIO) CORPORATION	6750 WINSTON CHURCHILL BLVD	9	Approved
A-453/16	JACK & JOSIE BONOFILIO	1158 MEANDER CRT	1	Approved
A-454/16	SANJIM BEDI	6668 ROTHSCCHILD TR	11	Approved
A-456/16	DR. DOMENICA BATTISTA	791 MISSISSAUGA VALLEY BLVD	4	Approved 5yrs
A-457/16	ESDEB CONSTRUCTION	2273 DUNDAS ST W	8	Approved
A-458/16	MICHAEL NAEMSCH	751 MONTBECK CRES	1	Withdrawn
A-459/16	ROSEMARY NAEMSCH	749 MONTBECK CRES	1	Withdrawn
<u>DEFERRED APPLICATIONS - (MINOR VARIANCE)</u>				
A-366/16	HAMED ABDULLAH & AYSHEA RAFIK	6853 LISGAR DR	10	Refused
A-373/16	CARLOS NICOLAS	5654 WHITEHORN AVE	6	Approved
A-379/16	KARAMJIT MAHAL	990 FOCAL RD	6	Approved
A-401/16	THINNOX HOLDING CORPORATION	755 LAKESHORE RD E	1	Feb 9

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

KENT & KATHRYN GREENIAS

on Thursday, November 10, 2016

Kent & Kathryn Greenias are the owners of 1247 Whiteoaks Avenue being Part of Lot 7, Registered Plan 389, zoned R2-5, Residential. The applicants request the consent of the Committee to the conveyance of a parcel of land having a lot frontage of approximately 30.62m (100.45ft.) {amended to 30.61m (100.42ft.)} and a lot area of approximately 1,137.22m² (12,241.33sq.ft.). The purpose of the application is to create a new lot for Residential purposes.

This property is also the subject of Minor Variance Application File "A" 460/16 which will be considered concurrently with this application.

Ms. J. Robinson declared a pecuniary interest in the application and left the hearing room and did not participate in the proceedings in any manner.

Mr. B. Kashin, a representative of the property owner, attended and advised that permission is being requested to sever the existing lot into two (2) lots. He presented a site plan for the Committee's review and consideration and advised that the corner lot will comply with the minimum requirements for lot area and frontage. Mr. Kashin indicated that a minor variance application (Reference "A" 460/16) has been submitted to allow a slight reduction in the lot frontage for the interior lot.

Mr. Kashin indicated that Planning staff have conducted a study of the lands within 120.0mm (393.70ft.) and the lots are consistent with the averages within the area. He presented a sketch indicating the lots on the streets and indicated that the lots fronting on Jalna Avenue have smaller lot frontages.

Mr. Kashin advised that they will be preserving many of the trees on the edges of the lot and indicated that the streetscape view will still contain mature trees.

Mr. Kashin advised that the lot frontage has been confirmed to be 30.61m (100.42ft.) for the corner lot and requested that the application be amended accordingly.

The Committee consented to the request.

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 (November 8, 2016),
City of Mississauga, Transportation and Works Department (November 3, 2016),
City of Mississauga, Community Services Department (November 9, 2016),
Region of Peel, Public Works, Development Services Division (November 4, 2016)

A memorandum was received from Ward Councillor Ras indicating that Lorne Park is an established neighbourhood that prides itself on large lot sizes and a generous tree canopy. She indicated that severing the properties will result in tree destruction and eventually, up-zoning of the neighbourhood. Councillor Ras indicated that creating smaller lots is not in keeping with the neighbourhood. She noted that we are governed by the Places to Grow Act but noted that there are areas that are designated to meet the population growth targets. Councillor Ras advised that she has heard from concerned residents and agrees with them that the severing of the property is the thin edge of the wedge in dismantling our historic and established neighbourhoods.

An e-mail was received from G. and C. Benak, property owner at 1293 Greenoaks Drive, expressing opposition to the application and noting their concerns that the proposed severance will change the character of the homes and the neighbourhood, deviate from the development planned under the Official Plan, and destroy the beautiful canopy of trees.

An e-mail was received from H. Karamountzos, property owner at 1227 Whiteoaks Avenue, expressing opposition to the application and noting her concerns that the proposed severance is out of character with the lot sizes in the neighbourhood. She indicated that the unique nature, history and character of the Whiteoaks and Jalna area needs to be preserved noting that the trees and natural habitat of the area should be preserved.

An e-mail and letter was received from A. and L. Bailey, property owner at 1510 Jalna Avenue expressing her opposition to the application and noting her concerns. She indicated that the neighbourhood is characterized by larger lots and mature trees. Ms. Bailey indicated that the subject lot is in the heart of the neighbourhood and contains many trees creating a lush canopy over the two intersecting streets. She advised that the proposed severance will destroy more trees and change the character of the neighbourhood and encourage developers to divide other nearby lots. Ms. Bailey indicated that the Official Plan policies should be adhered to.

An e-mail was received from R. Chong, property owner at 1544 Jalna Avenue, expressing objection to the application and noting his concerns that the proposal does not adhere to the character and nature of the neighbourhood and would cause adverse effects on the neighbourhood.

A letter was received from Bell Canada indicating they have no concerns with respect to the Consent application.

A letter was received from J. and H. Rees, property owners at 1489 Jalna Avenue, expressing objection to the application and noting their concerns that a large number of large trees will be removed and the removal will change the character of the neighbourhood.

Ms. L. Bailey, property owner at 1510 Jalna Avenue, attended and presented photographs of the subject property. She indicated that there is a mix of pine and deciduous trees and the trees should be preserved to maintain the character of the neighbourhood. A photograph was presented showing two mature trees where the proposed driveway is to be located.

Ms. Bailey advised that she distributed letters to 110 of her neighbours and received 73 responses back expressing opposition to the application. Ms. Bailey presented the letters for the Committee's review and consideration. She indicated that the unique area should be preserved.

Mr. R. Esdon, property owner at 1626 Birchwood Drive, attended and advised that he is concerned about the loss of trees on the property. He indicated that the original dwelling was constructed on a diagonal and the exact number of trees to be removed has not been identified. Mr. Esdon indicated that the proposed severance and siting of the dwellings is not in character with the neighbourhood.

No other persons expressed any interest in the application.

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

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the "severed" land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no additional services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 3, 2016.
4. A letter shall be received from the City of Mississauga, Manager/Supervisor, Zoning Plan Examination, indicating that the "severed" land and "retained" land of the resultant lot comply with the provisions of the Zoning By-law with respect to, among other things, lot frontage and lot area and setbacks to existing structures and on-site parking, or alternatively; that any variances are approved by the appropriate authorities.

MOVED BY: J. Page

SECONDED BY: D. Reynolds

CARRIED

Application Approved, as amended, on conditions as stated.

Dated at the City of Mississauga on November 17, 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 **DECEMBER 11, 2016**.

Date of mailing is November 21, 2016.

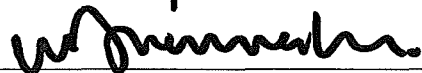


S. PATRIZIO (CHAIR)

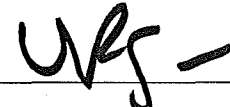


D. GEORGE


ABSENT
J. ROBINSON



D. KENNEDY



J. PAGE



D. REYNOLDS

DISSENTED
P. QUINN

I certify this to be a true copy of the Committee's decision given on November 17, 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 **November 21, 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

KENT & KATHRYN GREENIAS

on Thursday, November 10, 2016

Kent & Kathryn Greenias is the owner of 1247 Whiteoaks Avenue being Part of Lot 7, Registered Plan 389, zoned R2-5, Residential. The applicants request the Committee to authorize a minor variance to permit the construction of a new dwelling on a lot, being the "retained" lands of Consent application "B" 75/16, proposing a lot frontage of 26.70m (87.59ft.); whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (98.42ft.) in this instance.

Ms. J. Robinson declared a pecuniary interest in the application and left the hearing room and did not participate in the proceedings in any manner.

Mr. B. Kashin, a representative of the property owner, attended and advised that a Consent application has been submitted (Reference "B" 75/16) to sever the existing lot into two (2) lots. He presented a site plan for the Committee's review and consideration and advised that the proposed interior lot will not comply with the minimum requirements for lot area and frontage. Mr. Kashin indicated that they are proposing a lot frontage of 26.70m (87.59ft.) and the By-law requirement is 30.00m (98.42ft.).

Mr. Kashin indicated that Planning staff have conducted a study of the lands within 120.0mm (393.70ft.) and the lot sizes are consistent with the averages within the area. He presented a sketch indicating the lots on the streets and indicated that the lots fronting on Jalna Avenue have smaller lot frontages. Mr. Kashin indicated that the proposed lot frontage is similar to the lots in the immediate vicinity.

Mr. Kashin advised that they will be preserving many of the trees on the edges of the lot and indicated that the streetscape view will still contain mature trees.

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

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

"Recommendation

The Planning and Building Department has no objection to the requested Consent and Minor Variance applications. However, the applicant may wish to defer the application to verify the frontage of the severed lands or to apply for Site Plan Approval and Building Permit applications to ensure that no additional variances are required related to the preliminary site plan provided with the application.

Background

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-5 (Residential)

Other Applications:

Building Permit File: Required
Site Plan Approval File: Required

Comments

Zoning

A Building Permit application and a Site Plan Approval application will be required prior to the construction of any dwellings on the severed or retained lands. In the absence of one of these permit applications we are unable to verify whether any additional variances may be required based on the preliminary site plan submitted with the Consent application.

Further, we advise that lot frontage should be calculated in accordance with the following definition:

"Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line."

It appears that the lot lines of the severed lands are not quite parallel and as a result the lot frontage may be technically incorrect by a margin of a couple centimetres. The applicant should ensure that they have the correct lot frontage value.

Planning

The applicant is proposing to create a new lot for a total of two lots fronting onto Jalna Avenue. The subject property is designated Residential Low Density I, which means that the policies found within section 16.1.2 of the Official Plan are applicable; the relevant policies are as follows:

"16.1.2.1 To preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots created by land division or units or parcels of tied land (POTLs) created by condominium will generally represent the greater of:

a. The average frontage and area of residential lots, units or POTLs on both sides of the same street within 120 m of the subject property. In the case of corner development lots, units or POTLs on both streets within 120 m will be considered; or

b. the requirements of the Zoning By-law.

16.1.2.2 Notwithstanding 16.1.2.1, where the average lot frontage or lot area of residential lots determined pursuant to 16.1.2.1.a is less than the minimum requirements of the zoning by-law, consideration may be given to a minor variance."



MISSISSAUGA

File: "A" 460/16
WARD 2

Planning staff conducted a study of the lands within 120 m (393.70 ft.), which resulted in the following data:

	Lot Frontage	Lot Area
Average with 120m	29.21 m (95.83 ft.)	1818.94 m ² (19578.91 sq. ft.)
Severed Lands	30.62 m (100.46 ft.)	1137.22 m ² (12240.93 sq. ft.)
Retained Lands	26.70 m (87.60 ft.)	991.63 m ² (10673.82 sq. ft.)

The proposed frontages of the severed and retained lands are generous and generally consistent with the averages within the area and should be sufficient to maintain the character of the neighbourhood. Although the lot areas of the proposed lots are deficient to the average of the lots within the area, they do meet the Zoning By-law requirements for the R2-5 Zoning that applies to the subject property. Further, the broader neighbourhood has many lots with similar or lesser lot area than the proposed lots.

The general intent of the Official Plan policies in 16.1.2 are to ensure that when creating lots within existing stable neighbourhoods, the lots are appropriately sized, scaled to the existing neighbourhood, and are capable of having dwellings constructed on them that would be compatible. The applicant is indicating, based on the preliminary site plan provided with the application, that dwellings of approximately between 350 m² (3767.37 sq. ft.) and 415 m² (4467.02 sq. ft.) could be constructed within the Zoning By-law regulations for the R2-5 Zone.

There are also policies in the Official Plan related specifically to the Clarkson-Lorne Park Neighbourhood in Section 16.5. While many of these policies are related to design considerations, which will be addressed through the Site Plan Approval application process, Section 16.5.1.4 h. should be considered at the Consent stage. The policy is as follows:

"16.5.1.4 For development of all detached dwellings on lands identified in the Site Plan Control By-law, the following will apply:

...h. preserve existing mature high quality trees to maintain the existing mature nature of these areas..."

The majority of the mature trees on the existing lot are near the perimeter of the lot and the applicant's proposal indicates that the vast majority will be maintained. Through the Site Plan Approval application process, tree hoarding will be required in accordance with City standards to protect the remaining trees through the construction process.

Planning staff are of the opinion that the general intent of the Official Plan and Zoning By-law are maintained. The applicant is proposing to construct two dwellings, which would be compatible with the existing neighbourhood, while maintaining the tree canopy and mature neighbourhood characteristics of Clarkson-Lorne Park. The relief required from the Zoning By-law is minor in nature and still provides a generous frontage that is consistent with the neighbourhood.

Based on the preceding information, the Planning and Building Department has no objection to the requested Consent and Minor Variance applications. However, the applicant may wish to defer the application to verify the frontage of the severed lands or to apply for Site Plan Approval and Building Permit applications to ensure that no additional variances are required related to the preliminary site plan provided with the application."

The City of Mississauga Transportation and Works Department commented as follows (November 5, 2016):

"We are noting for information purposes that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 75/16."

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

"Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code."

An upgrade of your existing service(s) may be required. Servicing for the proposed development must comply with the Local Municipality's Requirements for the Ontario Building Code and Region of Peel standards. Site Servicing approvals are required prior to the local municipality issuing building permit."

A memorandum was received from Ward Councillor Ras indicating that Lorne Park is an established neighbourhood that prides itself on large lot sizes and a generous tree canopy. She indicated that severing the properties will result in tree destruction and eventually, up-zoning of the neighbourhood. Councillor Ras indicated that creating smaller lots is not in keeping with the neighbourhood. She noted that we are governed by the Places to Grow Act but noted that there are areas that are designated to meet the population growth targets. Councillor Ras advised that she has heard from concerned residents and agrees with them that the severing of the property is the thin edge of the wedge in dismantling our historic and established neighbourhoods.

An e-mail was received from G. and C. Benak, property owner at 1293 Greenoaks Drive, expressing opposition to the application and noting their concerns that the proposed severance will change the character of the homes and the neighbourhood, deviate from the development planned under the Official Plan, and destroy the beautiful canopy of trees.

An e-mail was received from H. Karamountzos, property owner at 1227 Whiteoaks Avenue, expressing opposition to the application and noting her concerns that the proposed severance is out of character with the lot sizes in the neighbourhood. She indicated that the unique nature, history and character of the Whiteoaks and Jalna area needs to be preserved noting that the trees and natural habitat of the area should be preserved.

An e-mail and letter was received from A. and L. Bailey, property owner at 1510 Jalna Avenue expressing her opposition to the application and noting her concerns. She indicated that the neighbourhood is characterized by larger lots and mature trees. Ms. Bailey indicated that the subject lot is in the heart of the neighbourhood and contains many trees creating a lush canopy over the two intersecting streets. She advised that the proposed severance will destroy more trees and change the character of the neighbourhood and encourage developers to divide other nearby lots. Ms. Bailey indicated that the Official Plan policies should be adhered to.

An e-mail was received from R. Chong, property owner at 1544 Jalna Avenue, expressing objection to the application and noting his concerns that the proposal does not adhere to the character and nature of the neighbourhood and would cause adverse effects on the neighbourhood.

A letter was received from J. and H. Rees, property owners at 1489 Jalna Avenue, expressing objection to the application and noting their concerns that a large number of large trees will be removed and the removal will change the character of the neighbourhood.



MISSISSAUGA

File: "A" 460/16

WARD 2

Ms. L. Bailey, property owner at 1510 Jalna Avenue, attended and presented photographs of the subject property. She indicated that there is a mix of pine and deciduous trees and the trees should be preserved to maintain the character of the neighbourhood. A photograph was presented showing two mature trees where the proposed driveway is to be located.

Ms. Bailey advised that she distributed letters to 110 of her neighbours and received 73 responses back expressing opposition to the application. Ms. Bailey presented the letters for the Committee's review and consideration. She indicated that the unique area should be preserved.

Mr. R. Esdon, property owner at 1626 Birchwood Drive, attended and advised that he is concerned about the loss of trees on the property. He indicated that the original dwelling was constructed on a diagonal and the exact number of trees to be removed has not been identified. Mr. Esdon indicated that the proposed severance and siting of the dwellings is not in character with the neighbourhood.

No other persons expressed any interest in the application.

Mr. Kashin indicated that many of the trees along the perimeter of the lots will be retained.

The Committee, after considering the submissions put forward by Mr. Kashin and having reviewed the plans and comments of the Planning and Building Department, is satisfied that the request is desirable for the appropriate further development of the subject property. The Committee indicated that the lot is compatible with the existing neighbourhood. The requested reduction in lot frontage is minor in nature and the lot frontage is consistent with the neighbourhood.

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

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

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

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

Dated at the City of Mississauga on November 17, 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 **DECEMBER 7, 2016**.

Date of mailing is November 21, 2016.




S. PATRIZIO (CHAIR)

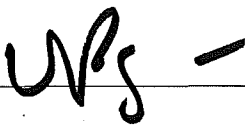


D. GEORGE

ABSENT
J. ROBINSON



D. KENNEDY




J. PAGE



D. REYNOLDS

DISSENTED
P. QUINN

I certify this to be a true copy of the Committee's decision given on November 17, 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

CONSEIL SCOLAIRE DE DISTRICT CATHOLIQUE CENTRE-SUD
(By Purchase & Sale Agreement)

on Thursday, November 10, 2016

Conseil Scolaire De District Catholique Centre-Sud (By Purchase & Sale Agreement) is the owner of 0 ODYSSEY DRIVE being Block 7, Registered Plan M-1977, zoned E2, Employment. The applicant requests the Committee to authorize a minor variance to permit the lands, being the "severed" land of Consent Application "B" 76/16, to be utilized for a public school use; whereas By-law 0225-2007, as amended, does not permit a public school use in this instance.

This application will be considered concurrently with Consent application File "B" 76/16.

Ms. P. Morley, of Borden Ladner Gervais LLP, authorized agent, attended and presented the application to permit a public school use on the subject property. Ms. Morley advised that a Consent application has also been submitted to create the lot required for the school proposal.

Ms. Morley advised that a new school is required to serve the growing francophone population in Mississauga. She indicated that the existing three elementary schools in Mississauga are over capacity and most of the schools have already reached the maximum number of portables permitted on site. Ms. Morley advised that the Ministry of Education has approved the construction of a new elementary school for 300 students. She presented a site plan and indicated that the school building will be approximately 302.11m² (3,252.00sq.ft.) and will include a gym and playing field which will be open to the community to use. Ms. Morley advised that the site will be 10 acres; however, 5 acres will be reserved for a future school expansion.

Ms. Morley advised that the Official Plan recognizes the importance of Community Infrastructure and permits this use in all land use designations, except Greenlands and Parkway Belt West. She advised that the 'kiss and ride' is proposed to be located in the area designated Greenlands and the remainder of the property is designated "business employment".

Ms. Morley advised that a previous Minor Variance Decision (Reference File "A" 38/15) was approved to allow Sherwood Heights Private School to locate on Block 4, a property just west and north of the subject property. She indicated that the property is zoned E2 and the same Official Plan policies apply to the site. Ms. Morley indicated that the Planning and Building Department were not in support of the request; however, the Committee approved the application.

Ms. Morley indicated that the subject property is zoned E2 and the E2 zone designation permits Commercial Schools, Universities and Colleges but does not permit a public school use. Ms. Morley indicated that the public school use is desirable as there are residential uses nearby and the public school use provides an essential service. She noted that the Provincial Policy Statement encourages a mix of employment and institutional uses and the public school use is suitable and desirable as it would provide a much needed service to the community. Ms. Morley indicated that there are two permissions for public school sites in the area. She indicated that the other school site has not been utilized. She indicated that the public school site will promote economic development and competitiveness by providing for an appropriate mix of employment and institutional uses to meet the long-term goals of the community.

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

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

"Recommendation

The Planning and Building Department has no objection to the requested Consent; however, we recommend that the Minor Variance application be refused.

Background

Mississauga Official Plan

Character Area: Churchill Meadows Employment Area
Designation: Business Employment, Special Site #1

Zoning By-law 0225-2007

Zoning: E2 (Employment)

Other Applications:

N/A

Comments

Zoning

N/A

Planning

The applicant is proposing to sever the subject property to create two lots of roughly equal size. The Department doesn't have a concern in principle with the Consent application. The lots will be appropriately sized lots for development in accordance with E2 Zoning standards and appropriately sized within this area of the Churchill Meadows Employment Area.

Notwithstanding the above, the Department has concerns with the Minor Variance application to permit a public school use. Although schools are considered Community Infrastructure and permitted in the majority of designations within the City of Mississauga, including Business Employment, there are other policies within the Official Plan that must be considered in conjunction with the broad policy surrounding Community Infrastructure. Further, a Zoning By-law is permitted to be more restrictive than the Official Plan and the subject site does not permit a public school under the E2 Zoning standards of the site.

The Official Plan has a number of policies that speak to preservation of Employment lands and preferred locations for Community Infrastructure. Some of the relevant policies from Section 5 (Direct Growth), Section 7 (Complete Communities), and Section 10 (Foster a Strong Economy), of the Official Plan are as follows:

"5.1.8 Mississauga will protect employment lands to allow for a diversity of employment uses.

7.3.2 The preferred location for community infrastructure will be within the Downtown, Major Nodes, Community Nodes and Corridors. Where appropriate, community infrastructure may also be located within Neighbourhoods and Corporate Centres. Community infrastructure will generally not be located within Employment Areas. Where permitted within Employment Areas, these uses will be located along the periphery of Employment Areas.

10.3.2 Mississauga will protect lands within Employment Areas for industrial uses.

10.3.3 Development will minimize land use conflicts between industrial uses and sensitive land uses."

Although the Official Plan broadly makes allowances for Community infrastructure in Employment Areas, the more specific policies and reoccurring theme throughout the Plan is that employment lands should be developed with employment uses and the conversion of these lands should be discouraged.

This general intent is illustrated through the implementation of the zoning for the Employment Area as a whole. The lands are predominantly zoned E2, which does not permit a public school; however, there is an exception zone to the north of the subject property that has specifically been zoned to permit a public school. At the time of the planning process for the Employment Area, a school site was contemplated to be appropriate. Although, the E2-102 Exception site that permits a school has not been developed with a school, a minor variance was granted in January of 2015 to permit a school on an adjacent site. Given that one site was planned for a school within the Churchill Meadows Employment Area, and an alternate site has already been permitted a school, it is not desirable to permit additional school sites within lands that are intended to be used for employment uses.

The Churchill Meadows Employment Area is a relatively small Employment Area geographically within the City and additional school sites within the area will diminish its planned function.

Based on the preceding information, the Planning and Building Department has no objection the requested Consent; however, we recommend that the Minor Variance application be refused."

The City of Mississauga Transportation and Works Department commented as follows (November 5, 2016):

"We are noting for the applicant's and Committee's information that the subject lands are located within a newly registered Plan of Subdivision, Plan 43M-1977 and typical Transportation and Works Department requirements relating to servicing, grading and drainage and access have been reviewed through the subdivision process. The request to permit a public school use on this property is being processed concurrently with Consent Application 'B'76/16 where we specified that the Warning Clauses in the Development Agreement in Plan of Subdivision 43M-1977 indicated that for Block 7 which are the subject lands a Traffic Impact Study is to be submitted to both the Ministry of Transportation Ontario and the City of Mississauga for review and approval prior to Site Plan Approval. **Since the applicant is proposing a public school use which is currently not permitted in the existing Zoning By-Law, we would request that the requirement for the approval of the Traffic Impact Study by the Ministry of Transportation Ontario and the City of Mississauga be made a condition of this variance.**

It should also be acknowledged that the Phase 1 Environmental Site Assessment (ESA) submitted under Plan of Subdivision 43M-1977 evaluated the subject lands for commercial/industrial standards and indicated that fill material was imported to the Site as part of the site redevelopment. Acknowledging that a school use is being proposed on this property the applicant/owner is to be advised that if this request is approved a Phase 1 ESA may be required as part of the Site Plan Approval Process for the proposed school use."

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

"The Region of Peel has no objection to the consent.

There is a 12m wide Regional sanitary sewer easement on the subject property. Please be advised that unauthorized encroachments on Regional easements will not be permitted. Certain restrictions apply with respect to Regional easements as per the documents registered on title.

Servicing for the proposed development must comply with the Local Municipality's requirements for the Ontario Building Code and Region of Peel standards. Site Servicing approvals are required prior to the local municipality issuing building permit."

The Ministry of Transportation commented as follows (November 9, 2016):

"The ministry has no objection in principal to the two proposed applications; however, this parcel of land is located within the current City of Mississauga Draft Plan of Subdivision application: "Erin Mills Neighbourhood 407", city file number 21T-94025 and ministry's draft plan conditions are still outstanding, we have not issued our clearance for approval.

Please be aware that it is premature for the ministry to review and comment on any development proposal until the required approvals/clearances have been issued for any submission located within the subject land."

Hydro One Networks Inc., Facilities & Real Estate commented as follows (November 3, 2016):

"The proposed severed portion of land abuts a Hydro One Networks Inc., (HONI) Transformer Station.

Please be advised that noise from this existing Transformer Station may interfere with future development on the property. Should the developer/builder do noise tests and should the Municipality or other governing body require any type of noise attenuation infrastructure (i.e. berms, sound walls, etc.) the costs involved will be the sole responsibility of the developer/builder. HONI will not be responsible for any costs involved. Please relay this to the appropriate parties.

Our preliminary review considers issues affecting HONI's 'High Voltage Facilities and Corridor Lands' only."

Mr. G. Kirton, Planner with the City of Mississauga, attended and advised that Churchill Meadows has the smallest Employment area in the City. He indicated that they wish to preserve and protect the Employment lands noting that these lands should not be converted without careful consideration.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Ms. Morley and having reviewed the plans and comments received, is not satisfied that the request is desirable for the appropriate further development of the subject property. The Committee indicated that if the application is approved, there would be three schools located in the area where Employment is permitted. They indicated that the Traffic Impact Study has not been completed and bussing and traffic may be a concern. In addition, the Committee indicated that the conversion of lands to public school use will diminish the available Employment zoned lands. They noted that the proximity of the lands to major transportation arteries makes the lands appropriate for employment use.

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

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

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


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

Dated at the City of Mississauga on November 17, 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 **DECEMBER 7, 2016**.

Date of mailing is November 21, 2016.

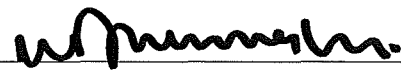

S. PATRIZIO

DISSENTED
J. ROBINSON (CHAIR)


J. PAGE

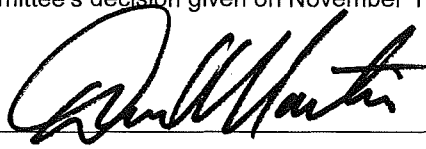
DISSENTED
P. QUINN

DISSENTED
D. GEORGE


D. KENNEDY


D. REYNOLDS

I certify this to be a true copy of the Committee's decision given on November 17, 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 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

D'ARCY R. BIRD

on Thursday, November 10, 2016

D'Arcy R. Bird is the owner of 126 Cumberland Drive being Lots 254 and 255, Registered Plan H-21, zoned R15-8, Residential. The applicant requests the consent of the Committee to the conveyance of a parcel of land having a frontage of approximately 18.44 m (60.50ft) and an area of approximately 0.11ha (0.28 ac). The effect of the application is to create a new lot for residential purposes.

On September 29, 2016, Mr. L. Laycock, of Keyser, Mason, Ball, LLP, authorized agent, attended and requested that the application be deferred to allow further discussion to take place with the Credit Valley Conservation to address their concerns.

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 (September 23, 2016),
City of Mississauga, Transportation and Works Department (September 22, 2016),
City of Mississauga, Community Services Department (September 26, 2016),
Region of Peel, Public Works, Development Services Division (September 26, 2016)
Credit Valley Conservation (September 27, 2016).

A letter was received from C. and L. La Palma, of 123 Cumberland Drive, indicating support for the application.

A letter was received from C. and B. Wachon, of 129 Cumberland Drive, expressing opposition to the application and noting their concerns that the subdivision of the property into smaller lots will devalue the existing properties, contribute to increased traffic, and change the character of the neighbourhood.

No other persons expressed any interest in the application.

The Committee consented to the request and the application was deferred to November 10, 2016.

On November 10, 2016, Mr. C. Stobie, of Keyser Mason Ball LLP, authorized agent, attended and presented the application. Mr. Stobie presented a site plan for the Committee's review and consideration indicating that approval is being requested to create two Residential building lots. He explained that the proposed lots will comply with the By-law requirements. He noted that the easterly lot is proposed to be wider as there is an easement on the property that limits 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 (November 4, 2016),
City of Mississauga, Transportation and Works Department (November 3, 2016),
Region of Peel, Public Works, Development Services Division (November 4, 2016),
Credit Valley Conservation (November 9, 2016).

An e-mail was received from B. Wachon, resident at 129 Cumberland Drive, expressing opposition to the application and noting his concerns that smaller lots will ruin the ambience of the waterfront street, reduce property values, change the character of the neighbourhood, and create more vehicular traffic.

Mr. M. Spaziani, Architect, attended and presented conceptual plans showing a building envelope and indicated that appropriate dwellings that suit the character of the neighbourhood, can be constructed within the building envelope.

Mr. G. Kirton, Planner with the City of Mississauga, attended and advised that the Credit Valley Conservation letter was just received and they have not had an opportunity to review it. He advised that the Credit Valley Conservation requirements may necessitate the dwellings to be constructed closer to the street. He noted that many of the existing dwellings on the street are located closer to the street.

No other persons expressed any interest in the application.

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

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the "severed" land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no additional services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager/Supervisor, Zoning Plan Examination, indicating that the "severed" and "retained" lands comply with the provisions of the Zoning By-law with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to existing building(s), or alternatively, any minor variance is approved, final and binding and/or the demolition of any existing building(s).
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 3, 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 September 26, 2016.
6. A letter shall be received from the Credit Valley Conservation, indicating that satisfactory arrangements have been made with respect to their comments dated November 9, 2016.

MOVED BY: S. Patrizio

SECONDED BY: J. Page

CARRIED

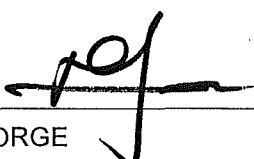
Application Approved, on conditions as stated.

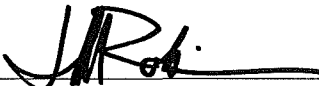
Dated at the City of Mississauga on November 17, 2016.

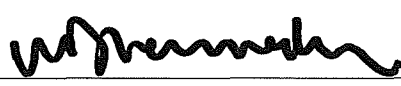
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **DECEMBER 11, 2016**.

Date of mailing is November 21, 2016.


S. PATRIZIO

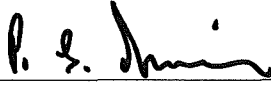

D. GEORGE


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 November 17, 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 **November 21, 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

CAMCENTRE HOLDINGS INC.

on Thursday November 10, 2016

Camcentre Holdings Inc. is the owner of 151 City Centre Drive being Part of Lot 17, Concession 2, N.D.S., zoned H-CC2(2), City Centre. The applicant requests the Committee to authorize a minor variance to permit the conversion of Unit 701 from office use to a commercial school use; whereas Interim Control By-law 0046-2011, as amended, states that no land, building or structure shall be used for any purpose except the continued use of a building or structure lawfully existing on the date the By-law was enacted, provided that such use is a permitted use in that building or structure under Zoning By-law 0225-2007, as amended in this instance.

Mr. A. Durani, authorized agent, attended and presented the application to permit a commercial school (Citi College) to be located in unit #701 of the subject building. Mr. Durani advised the Committee that a commercial school was an allowed use, however, a variance was required to change the use to a commercial school due to Interim Control By-law 0046-2011 that was in place on the subject property.

Mr. W. Jallal, owner of Citi College, attended and advised the Committee that the College was a registered private college with the Ministry of Advanced Education and Trade Skill Development and its primary purpose was to train individuals for new careers. He advised the Committee that the class sizes would 5 to 10 students at any given time.

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

The City of Mississauga Planning and Building Department commented as follows (November 4, 2016):

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Downtown Core
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: H-CC2(2) In force, H-CC2(2) Under Appeal

Other Applications:

Comments

Zoning

The Building Department is currently processing a certificate of occupancy permit application under file 16-1102 and building permit application BP 16-1012. Based on review of the information currently available for these applications, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Planning

The subject property is located in the Downtown Core, with frontage on City Centre Drive and Burnhamthorpe Road West. The building was constructed in 1972. Its primary use is office.

The application requests a change in use from office to commercial school for one unit of the building. The Interim Control By-law 0046-2011 was intended to restrict new standalone development in the downtown core temporarily while new policy was put in place. Since the Interim Control By-law is currently related to an Ontario Municipal Board appeal, the provisions remain in place. The proposed change in use from office to commercial school use is contained wholly within the existing building and does not undermine the intent of the Interim Control By-law. The Planning and Building Department is of the opinion that the request maintains the intent of the By-law and is minor in nature.

A commercial school is permitted within the applicable zoning and the Official Plan designation.

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

The City of Mississauga Transportation and Works Department commented as follows (November 5, 2016):

"This Department has no objections, comments or requirements with respect to C.A. application 448/16."

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. A. Durani and having reviewed the plans, is satisfied that the request is desirable for the appropriate further development of the subject property. The subject lands are close to public transit and a parking variance is not required 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 requested variance is minor in nature in this instance.

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

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

Dated at the City of Mississauga on November 17, 2016.

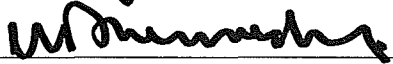
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **DECEMBER 7, 2016**.

Date of mailing is November 21, 2016.

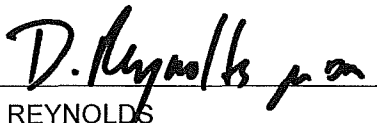


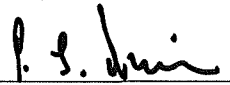
S. PATRIZIO

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 November 17, 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

MILISAV STOJAHOVIC

on Thursday November 10, 2016

Milisav Stojahovic is the owner of 1041 Haig Boulevard being Part of Lot 56, Plan A-19, zoned R3-75, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a two storey addition to the rear of the existing dwelling, a new deck, a new canopy over the existing porch at the front of the dwelling, new concrete steps, and a second storey rear balcony addition proposing:

1. a porch or deck inclusive of stairs to encroach 2.80m (9.18ft.) into the front yard; whereas By-law 0225-2007, as amended, permits a porch or deck inclusive of stairs to project a maximum of 1.60m (5.24ft.) into the required 7.50m (24.60ft.) front yard in this instance;
2. a side yard of 1.17m (3.93ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) to the first storey and 1.81m (5.93ft.) to the second storey in this instance;
3. a driveway width of 6.12m (20.07ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.40m (14.43ft.) in this instance;
4. an occupied area of 55.50m² (597.41sq.ft.) for an accessory structure (gazebo); whereas By-law 0225-2007, as amended, permits a maximum occupied area for an accessory structure (gazebo) of 10.00m² (107.64sq.ft.) in this instance;
5. to allow the existing accessory structure (gazebo) to remain in the rear yard proposing 0.00m (0.00ft.) setback to the side and rear property lines; whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (3.93ft.) to the side and rear property lines for an accessory structure in this instance;
6. a height of 3.19m (10.46ft.) for the accessory structure (gazebo); whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (9.84ft.) in this instance;
7. an occupied area of 17.10m² (184.06sq.ft.) for an accessory structure; whereas By-law 0225-2007, as amended, permits a maximum occupied area of 10.00m² (107.64sq.ft.) for an accessory structure in this instance;
8. a rear yard of 0.00m (0.00ft.) from the accessory structure to the rear lot line; whereas By-law 0225-2007, as amended, requires a minimum rear yard of 1.20m (3.93ft.) for an accessory structure in this instance;
9. a height of 3.29m (10.79ft.) for an accessory structure; whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (9.84ft.) for an accessory structure in this instance;



MISSISSAUGA

File: "A" 449/16

WARD 1

10. a new pedestrian entrance facing a street to facilitate a second unit; whereas By-law 0225-2007, as amended, does not permit a new pedestrian entrance facing a street to facilitate a second unit in this instance;
11. to allow stairs, stairwells or retaining walls to facilitate an entrance below grade in the front yard; whereas By-law 0225-2007, as amended, does not permit stairs, stairwells or retaining walls to facilitate an entrance below grade at any point in the front yard in this instance; and,
12. a setback of 0.00m (0.00ft.) from the driveway to the side property line; whereas By-law 0225-2007, as amended, requires a minimum setback of 0.60m (2.00ft.) from the driveway to the side property line in this instance.

Mr. D. Dunat, a representative of the property owner, attended and presented the application to permit the construction of a two storey addition and to permit the existing gazebo in the rear yard to remain. Mr. Dunat began by advising the Committee that he wished to amend the application after meeting with Planning Staff. He indicated that he wished to withdraw Variances 7, 8 and 9 from the application.

Mr. Dunat presented a revised site plan and indicated that an accessory structure behind the garage in the rear yard was previously abutting the rear lot line would be demolished and so the variances were not needed.

The Committee was satisfied with amending the application.

Mr. Dunat advised the Committee with respect to the variances with the front porch and stairs encroaching into the front yard area. He indicated that the home, front porch and stairs had existed since the current owner bought the property and the variances requested regularized the existing conditions on site. With regards to the proposed addition, he indicated that the proposed setback complied with the Zoning By-law in this instance.

Mr. Dunat advised the Committee that the front basement entrance stairs were built without a permit and requested a variance to allow for the stairs to remain. He indicated that the stairs were built prior to the owner purchasing the property and had existed for 10 years.

He advised the Committee that the garage and gazebo in the rear yard were not going to be demolished, only shortening the carport by demolishing the storage area behind the carport and canopy area as per his meeting with Planning Staff.

The Committee expressed concern with the use of the garage and carport in the rear of the property. The Committee asked Mr. Dunat if a roofing business was being operated out of the garage. Mr. Dunat indicated that he was not the owner of the property and could not answer the question with certainty. He noted that the owner of the property was a roofer.

Mr. Dunat advised the Committee that the existing canopy that extended from the garage would be abutting the property line, however, the posts supporting the structure would be 0.45m (1.47ft.) from the property line; however the canopy will extend to the property line. He indicated that the water running off the canopy would be directed away from the neighbour's property.

The Committee expressed concern with the amount of hard surface area located in the rear yard and the concern was that the area was being continuously used as a parking lot. Mr. Dunat noted that the area could be reinstated with grass as per the Committee's comments.

The Committee also expressed concern with the gazebo on site. Mr. Dunat indicated to the Committee that the proposed gazebo was adjacent to the garage. The Committee noted that the structure adjacent to the garage looked like a carport and not a gazebo in this instance.

Mr. G. Kirton, Planner for the City, attended the hearing and advised Committee that the proposed gazebo appeared to be a carport and due to the absence of a building permit application the structure could not be categorized. Mr. Kirton indicated that a building application would be submitted for the garage and gazebo structure in the rear yard and the variances would be confirmed when that application was submitted by the applicant. He confirmed that the structures were not built with a building permit. He advised the Committee that the use of the structure in the rear of the property would require an interpretation by Zoning Section when a building permit is submitted.

Mr. M. Czeren, property owner at 1033 Haig Boulevard, attended the hearing and advised Committee that he objected to the application. He presented photos depicting the size of the garage in the rear yard. He noted that there were chimneys at the top of the garage and in the winter he advised the Committee that smoke came out of them and at night, light emitted from the windows. He advised the Committee that there were tenants occupying the building in the rear yard. He advised the Committee that the garage opened to reveal a glass door. Mr. Czeren stated that he believes the applicant had been renting the building and disguised the rental units as a garage. He also advised the Committee that the two storey addition would create a multi-tenant unit within the subject property and it would be out of character for the area and very noisy. He advised that there was an Assisted Living facility next door to the applicant's home so they would likely not have any concerns with respect to the matter of the multi-unit building.

The Committee noted that the garage had two separate doors on the side of the structure which could be for the purpose of having separate tenant entrances.

Mr. G. Kirton, Planner for the City, advised the Committee that records indicated that a legal non-conforming triplex existed in 1998. He noted that the information was obtained from a 1953 survey. He advised that if the use of the subject building changed since then, the legal non-conforming status would be lost. He advised the Committee that an order to comply was issued for the building in the rear yard however the nature of the order was unknown.

Mr. Dunat advised Committee that he is unaware of any tenants living in the structure in the rear yard.

The Committee expressed concern with the overall application and the variances requested as they were not clarified properly and the use of the garage and gazebo in the rear yard could not be confirmed.

Mr. Kirton advised Committee that with the order to comply and the building permit needed for the rear yard structure that the City would follow up and confirm the use of the garage through that process.

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

The City of Mississauga Planning and Building Department commented as follows (November 9, 2016):

"Recommendation

The Planning and Building Department has no objection to variances #1, #2, #3, #10, #11, and #12; however, we recommend that variances #4, #5, and #6 be refused. Further, we understand that variances #7, #8, and #9 will be withdrawn.

Background

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-75 (Residential)

Other Applications:

Building Permit File: BP 9ALT 15-7315

Comments

Zoning

The Planning and Building Department is currently processing a Building Permit application and based on the review of the information currently available, we have the following comment:

Variances #1, #2, #3, #11, and #12 are correct as reviewed and confirmed through Building Permit application BP 9ALT 15-7315.

Variances #4 to #10 relate to the rear-yard accessory structures, as well as, a second dwelling unit located in the basement. A Building Permit application for these items has not been received. It is our understanding that a separate Building Permit application will be submitted for these items, at which time a full Zoning review will be completed. We are unable to verify the accuracy of these variances at the current time.

Planning

Notwithstanding the above, the applicant has submitted updated plans indicating that variances #7, #8, and #9 are no longer required as a result of proposing to remove the accessory structure.

The applicant is proposing to modify and rebuild a number of existing features on the dwelling, as well as add a second storey addition.

Variances #1, #2, #10, and #11 relate directly to the modifications proposed to the dwelling. Similar conditions have existed previously on site, with the exception of the major two storey addition at the rear of the dwelling which does not have any variances directly related to it. The existing front yard setback to the dwelling is deficient, creating the increased projection variance. The stairs have been rebuilt in the previously existing location and are modest in scale. The covered portion of the porch is further setback from the street than the stairs and both features are consistent with the front wall of the dwelling on the property to the south.

The variances related to the entrance way in the front yard do not create negative impacts on the streetscape; the location of the entrance is through the side and under the porch and does not visually stand out as an entrance feature. The intent of the by-law is to limit the potential negative aesthetic of second unit entranceways facing the street and in this instance the intent is maintained.

Variance #2, related to the side yard setback, is required at a pinch point where the lot angles towards the structure from the front lot line. The requested relief is minimal and there should be no negative impacts of increased massing on the neighbouring property.

Variances #3 and #12 required for the driveway are minor in nature; the setback to the lot line is an existing condition that doesn't appear to have any modifications proposed and the width is only requested at the point in the front yard where the walkway connection meets the driveway. The proposed extension of the driveway will comply with the required setback and the width of all other portions of the driveway will also comply with the Zoning By-law permissions.



MISSISSAUGA

File: "A" 449/16
WARD 1

Variances #4, #5, and #6 are being requested in order to maintain the existing structure adjacent to the garage. The applicant is indicating that the structure is a gazebo; however, it appears that the structure may be a carport based on the appearance, location relative to the garage and the dwelling, and the apparent use of it. The applicant is required to submit a Building Permit for the garage and the adjacent structure; however, without currently having that submission to review we are unable to determine exactly what the structure should be classified as.

Notwithstanding the uncertainty related to the correct zoning interpretation, the Department is of the opinion that either use is inappropriate and not suitable for the subject property. If determined to be a carport, an additional variance would be required to permit an additional garage or carport on the subject property, which the Department would not support in this instance. The combined massing of the structure in conjunction with the adjacent garage is excessive, despite the larger size of the lot. Further, the setback from the property line is not adequate, given the length of the structure along the lot line. The increased setback to 0.45 m (1.48 ft.) still allows for the eaves to project right to the property line and does not provide enough separation distance from the neighbouring lot.

Based on the preceding information, the Planning and Building Department has no objection to variances #1, #2, #3, #10, #11, and #12; however, we recommend that variances #4, #5, and #6 be refused. Further, we understand that variances #7, #8, and #9 will be withdrawn."

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

"We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed additions will be addressed at the time of the building permit process."

A letter was received from S. D. Reddington, Barrister & Solicitor, on behalf of the owners at 1033 Haig Boulevard, indicating their objection of the application. The letter indicated that the accessory structure in the rear yard was being used as a rental unit and that the rear yard structure was too large for the lot that it occupied.

A letter was received from M. and P. Czeren including photographs and requesting that the Committee review and consider the comments provided by Mr. Reddington.

A letter was received from J. and D. Dozdor, property owners at 1029 Haig Boulevard expressing their objection to the application and noting their concerns with respect to property value.

No other persons expressed any interest in the application.

The Committee was concerned with the variances required for the rear yard structure due to the comments made from City Staff and Mr. Czeren. The use of the building in the rear yard was not confirmed by the applicant and could not be confirmed until a building permit application was submitted for the garage in the rear yard of the subject property.

The Committee, after considering the submissions put forward by Mr. D. Dunat and having reviewed the plans, is satisfied that the request for the changes to the dwelling 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 amended request to only permit:

1. a porch or deck inclusive of stairs to encroach 2.80m (9.18ft.) into the front yard; whereas By-law 0225-2007, as amended, permits a porch or deck inclusive of stairs to project a maximum of 1.60m (5.24ft.) into the required 7.50m (24.60ft.) front yard in this instance;
2. a side yard of 1.17m (3.93ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) to the first storey and 1.81m (5.93ft.) to the second storey in this instance;
3. a driveway width of 6.12m (20.07ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.40m (14.43ft.) in this instance;
4. a new pedestrian entrance facing a street to facilitate a second unit; whereas By-law 0225-2007, as amended, does not permit a new pedestrian entrance facing a street to facilitate a second unit in this instance;
5. to allow stairs, stairwells or retaining walls to facilitate an entrance below grade in the front yard; whereas By-law 0225-2007, as amended, does not permit stairs, stairwells or retaining walls to facilitate an entrance below grade at any point in the front yard in this instance; and,
6. a setback of 0.00m (0.00ft.) from the driveway to the side property line; whereas By-law 0225-2007, as amended, requires a minimum setback of 0.60m (2.00ft.) from the driveway to the side property line in this instance.

This decision is subject to the following condition:

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

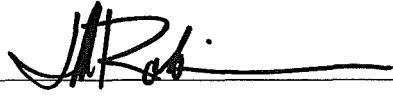
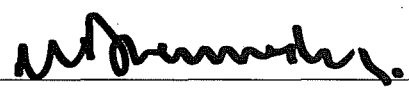
MOVED BY:	D. George	SECONDED BY:	J. Page	CARRIED
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Application Approved, as amended, on conditions as stated.

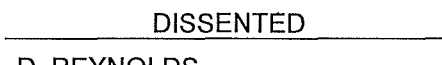
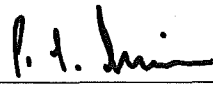
Dated at the City of Mississauga on November 17, 2016.

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 **DECEMBER 7, 2016**.

Date of mailing is November 21, 2016.


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

DISSENTED


D. REYNOLDS
P. QUINN

I certify this to be a true copy of the Committee's decision given on November 17, 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

FIRST CAPITAL HOLDINGS (ONTARIO) CORPORATION

on Thursday, November 10, 2016

First Capital Holdings (Ontario) Corporation is the owner of 6750 Winston Churchill Boulevard being Block 9, Plan M-407, zoned C2, Commercial. The applicant requests the Committee to authorize a minor variance to permit the operation of a pharmacy and medical office use within Unit 9A proposing a total of 131 parking spaces for all uses on site; whereas By-law 0225-2007, as amended, requires a minimum of 145 parking spaces to be provided for all uses on site in this instance.

Mr. O. Kemal, of MacNaughton Hermesen Britton Clarkson Planning Limited (MHBC), authorized agent, attended and presented the application to permit a reduction in parking. Mr. Kemal indicated that the existing pharmacy, located within Unit 9A, will re-demise their space to include a medical office. He advised that the reconfiguration necessitates a calculation of the parking requirements. Mr. Kemal indicated that 145 parking spaces are required for all uses on the site and they are only able to provide 131 parking spaces. He noted that the Planning and Building Department have indicated that 128 parking spaces are provided and requested that the application be amended in accordance with their recommendations.

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

The City of Mississauga Planning and Building Department commented as follows (November 4, 2016):

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C2

Other Applications:

Comments

Zoning

The Building Department is currently processing a certificate of occupancy permit application under file 16-2325. Based on review of the information currently available for this application, we advise that the following variance(s) should be amended as follows:

To permit a total of 128 parking spaces be provided on site, whereas a total of 145 parking spaces are required.

Planning

The subject property is a commercial centre at Winston Churchill Boulevard and Aquitaine Avenue. The plaza on site is two levels and has a variety of neighbourhood commercial uses.

The application requests a reduction in parking spaces. An existing pharmacy is proposing to partition a smaller portion of the unit for a new medical office use.

A parking letter provided by the applicant satisfactorily justifies the requested variance. The deficiency is approximately 10%, and the variety of commercial uses generates different parking requirements through different times of the day.

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

The City of Mississauga Transportation and Works Department commented as follows (November 5, 2016):

"This Department has no objections, comments or requirements with respect to C.A. 'A' 452/16."

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

"We have no comments or objections."

No other persons expressed any interest in the application.

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

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the operation of a pharmacy and medical office use within Unit 9A proposing a total of 128 parking spaces for all uses on site; whereas By-law 0225-2007, as amended, requires a minimum of 145 parking spaces to be provided for all uses on site in this instance.

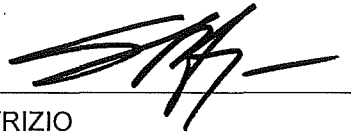
MOVED BY:	D. George	SECONDED BY:	D. Kennedy	CARRIED
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Application Approved, as amended.


Dated at the City of Mississauga on November 17, 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 **DECEMBER 7, 2016**.

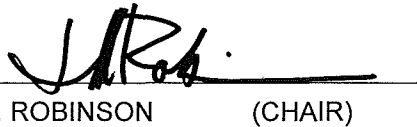
Date of mailing is November 21, 2016.



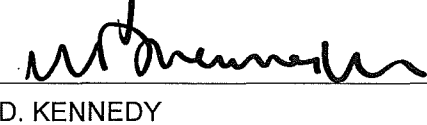
S. PATRIZIO



D. GEORGE



J. ROBINSON (CHAIR)

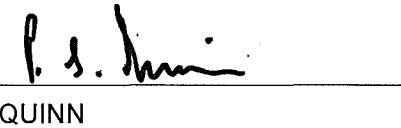


D. KENNEDY

ABSENT
J. PAGE



D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on November 17, 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

JACK & JOSIE BONOFIGLIO

on Thursday, November 10, 2016

Jack & Josie Bonofiglio are the owners of 1158 Meander Court being Part of Lot 10, Registered Plan M-215, zoned RM1-26, Residential. The applicants request the Committee to authorize a minor variance to permit the construction of a raised porch and stairs and a pergola proposing:

1. a lot coverage of 44.60% of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% of the lot area in this instance;
2. an area occupied by a pergola of 12.30m² (132.40sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum area occupied by a pergola of 10.00m² (107.64sq.ft.) in this instance; and,
3. a setback of 0.22m (0.72ft.) from the pergola to the rear property line; whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (2.00ft.) from the pergola to the rear property line in this instance.

Mr. M. Ribau, of Perspective Views Inc., authorized agent, attended and presented the application to permit the construction of a second floor balcony/deck with stairs to access the rear yard. He presented plans for the Committee's review and consideration. Mr. Ribau indicated that no permit has been obtained for the existing fireplace and trellis located in the rear yard. He explained that a variance is required to allow these structures to remain and further increase the lot coverage to allow the second floor balcony/deck to be constructed. Mr. Ribau indicated that his clients wish to take advantage of the view and enjoy the greenery that is situated on the adjacent utility corridor.

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

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

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: RM1-26 (Residential)

Other Applications:

Building Permit File: Required

Comments

Zoning

A Building Permit application is required and in the absence of a Building Permit application we are unable to confirm the accuracy of the requested variances, or determine whether additional variances will be required.

Further, there remains an outdated permit from 2003 for a deck that is different from the current proposal. This permit should be canceled if the applicant does not intend to continue with the project.

Planning

The applicant is requesting three variances in order to permit the existing pergola to remain and to permit the construction of a new second storey deck in the rear yard. It appears that the 0.22m (0.72 ft.) setback, which has been requested to the pergola structure, should be more correctly applied to the fireplace structure based on the drawings provided. The plans submitted with the application indicate that the pergola is 0.46 m (1.51 ft.) from the rear property line. The applicant may wish to amend their variance application to reflect the numbers indicated on their site plan.

The rear yard of the subject property backs onto the utility corridor so there is no impact from the location of the fireplace and pergola. There is still adequate opportunity for maintenance of the structures, based on their design and ease of access to the rear portion of the pergola. The requested variance related to the increased Gross Floor Area of the pergola is a relatively minor increase beyond what the Zoning By-law permits and larger than permitted pergola structures do not have the same impacts as traditional accessory structures.

The proposed deck must be counted towards the maximum lot coverage under the Zoning By-law requirements because of its elevation off the ground. The requested 44.60% lot coverage may appear to be a relatively large increase at face value; however, the contributors are generally less impactful structures than if the increase in lot coverage were associated solely with an addition to the dwelling. 5.5% of the increase in lot coverage is associated with the covered front porch, the pergola, and the accessory fireplace. Each of these structures has limited impact on massing or the appearance of overdevelopment of the site.

The additional 4.1% lot coverage associated with the deck is also minor in nature. Although the deck is elevated to the second storey, there is no covered portion or any other structure that would significantly increase the massing of the proposal. Further, the deck and stairs exceed the required setbacks to all lot lines and maintain other by-law provisions. Although there is no existing privacy between the rear yards of the semi-detached dwelling by way of board fence or vegetation, there may be some concern of privacy related to sightlines to the second storey window of the adjacent unit and if the Committee sees merit in the application, they may wish to impose a condition that screening be installed adjacent to the neighbouring property, which should not trigger additional Zoning By-law deficiencies. Second storey decks are not inherently prohibited and given that the applicant maintains appropriate separation distance from lot lines and there is limited massing associated with the structure, the Department is of the opinion that the requested increase in coverage is minor in nature in this instance.



MISSISSAUGA

File: "A" 453/16

WARD 1

Based on the preceding information, the Planning and Building Department is of the opinion that the requested variances are minor in nature and do not create a massing or overdevelopment concern on the subject property. As a result, the Department has no objection to the requested variances; however, the applicant may wish to defer the application to apply for the required Building Permit to verify the accuracy of the request."

The City of Mississauga Transportation and Works Department commented as follows (November 5, 2016):

"We are noting for information purposes that any Transportation and Works Department concerns/requirements for the proposed porch, stairs and pergola will be addressed through the Building Permit process."

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

"We have no comments or objections."

Ms. C. Cebula, daughter of Mrs. S. Cebula, property owner at 1160 Meander Court, attended and expressed their objection to the application. Ms. Cebula advised that it appears that the lot coverage indicated for the deck in the front yard is incorrect. Subsequently the lot coverage figure is actually higher than the requested lot coverage.

Ms. Cebula presented photographs and an aerial photograph and advised that there are no other second storey decks in the neighbourhood. She advised that the proposed 2.43m x 6.09m (8.00ft. x 20.00ft.) deck will adversely affect her mother, especially with respect to safety and privacy. She indicated that intruders would be able to access her mother's bedroom window from the deck.

Ms. Cebula indicated that the existing fireplace, which is approximately 10 – 12 feet high, and the existing large pergola, which is approximately 12 x 13 feet, already increase the lot coverage over and above the maximum permitted lot coverage.

Ms. Cebula indicated that the applicant has installed double doors in the original window opening without a building permit. She presented a photograph with a line indicating the extent of the proposed deck as it would appear from her mother's home. She advised that her mother spends a great amount of time in her backyard doing gardening and if the deck is permitted, it will impact on her mother's privacy.

Mr. G. Kirton, Planner with the City of Mississauga, attended and advised that he believes that a privacy screen could be installed to address the possible privacy concerns. He indicated that a deck is a permitted use in the zone; however, because the lot coverage is excessive, a variance is required.

Mr. Ribau advised that his client's preference is to install a deck to allow them to have a place to enjoy dinner on and also enjoy the view. He indicated that the home is a raised bungalow and there are two bedrooms on the second floor. He indicated that a deck from the second floor is permitted; however, as the lot coverage exceeds the By-law requirements, a variance is required.

Mr. Ribau advised that it would be difficult to access the neighbour's window from the deck. He indicated that he would be willing to construct a privacy screen to address the neighbour's concerns. Mr. Ribau indicated that they have discussed the application with the neighbours who have indicated their support verbally.

No other persons expressed any interest in the application.

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

The Committee consented to the request.

The Committee indicated that they have concerns with the size and location of the porch/deck advising that it adversely impacts the neighbour, especially with respect to privacy. The Committee indicated that they do not object to the fireplace and pergola remaining on the lot and will authorize the requested increase for those items only. The Committee indicated that the increase in lot coverage for the proposed porch/deck will not be permitted. They advised that based upon the calculations indicated in the Planning and Building Department comments, the deck is 4.1% of the total lot coverage. The Committee will permit a total lot coverage of 40.50% to allow the fireplace and pergola to remain.

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

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

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

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

1. a lot coverage of 40.50% of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% of the lot area in this instance;
2. an area occupied by a pergola of 12.30m² (132.40sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum area occupied by a pergola of 10.00m² (107.64sq.ft.) in this instance;
3. a setback of 0.22m (0.72ft.) from the fireplace to the rear property line; whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (2.00ft.) from the fireplace to the rear property line in this instance; and,
4. a setback of 0.46m (1.50ft.) from the pergola to the rear property line; whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (2.00ft.) from the pergola to the rear property line in this instance.

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


Dated at the City of Mississauga on November 17, 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 **DECEMBER 7, 2016**.

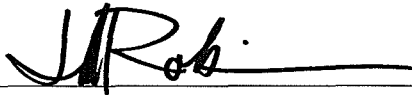
Date of mailing is November 21, 2016.



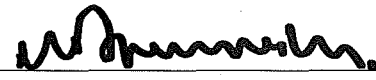
S. PATRIZIO



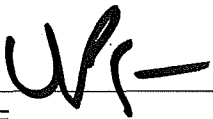
D. GEORGE



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 November 17, 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

SANJIM BEDI

on Thursday November 10, 2016

Sanjim Bedi is the owner of 6668 Rothschild Trail being Lot 9, Registered Plan M-1710, zoned G2-1, Greenbelt and R9-4, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new deck in the rear yard proposing a lot coverage of 56.40% of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% of the lot area in this instance.

Mr. B. Sanjim, owner, attended and presented the application to permit a proposed deck extension in the rear yard of the subject property. Mr. Sanjim presented a building plan of the proposed deck extension and advised the Committee that the proposed extension is dropped down lower than the current deck. He advised the Committee that the main reason for constructing the deck was to provide more space to play for his daughters. He advised Committee that there have been coyote sightings in the area due to the adjacent (G2-1) Greenbelt Zone and the deck would allow his young daughters to play a safe distance away from the ravine.

Robert Ruggiero, Planner for the City, attended the hearing and advised the Committee that there was a privacy issue due to the tempered glass walls and the width of the deck being proposed to extend across the entire length of the home.

Mr. Sanjim presented letters from his immediate neighbours in support of the application for the Committee's review.

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

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

"Recommendation

The Planning and Building Department has no objection to the requested variance, but the applicant may choose to redesign the deck in order to mitigate potential privacy concerns.

Background

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: LDII, G

Zoning By-law 0225-2007

Zoning: R9-4, G2-1

Other Applications:

Building Permit File: 16-2412

Credit Valley Conservation Authority Permit: Required

Comments

Zoning

The Building Department is currently processing a building permit application under file 16-2412. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Planning

The subject site is located bear McLaughlin Road and Derry Road West. The context is detached dwellings backing on to greenbelt lands.

The application proposes a new deck which would require a variance for increased lot coverage.

A portion of the rear yard is zoned for greenbelt lands. Lot coverage is calculated excluding the greenbelt lands. Previously, application 'A' 25/10 requested increased lot coverage of 46.90%, and was approved at the Committee.

The greenbelt lands contribute to the size and visual space of the lot. They cannot be built upon, and therefore will continue to provide green space, soft landscaping, and a visual feeling of openness.

A raised deck counts toward lot coverage, but a deck at grade does not count toward lot coverage. Increased lot coverage due to the proposed deck does not have the same impact if the increase lot coverage was due to an addition to the dwelling.

In principle, we consider the increased lot coverage as minor, however, the proposed design and materials of the deck may impact the privacy and enjoyment of the neighbour's property.

Based on the preceding, the Planning and Building Department has no objection to the requested variance, but the applicant may choose to redesign the deck in order to mitigate potential privacy concerns."

The City of Mississauga Transportation and Works Department commented as follows (November 5, 2016):

"This department would have no objections to the applicant's request to permit the construction of the new deck in the rear yard provided that the existing proved drainage pattern for the subject lot is maintained."

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

"Through the review of the associated Plan of Subdivision under File T-95019, the rear portion of the property was zoned Greenbelt G2-1 for a depth of 5 metres. As a condition of development approval and as a CVC Permit condition, DiBlasio Homes has committed to provide a Naturalization Buffer Strip adjacent to the Fletcher's Creek valley for the above-noted properties. The implementation of this Naturalization Buffer Strip in accordance with the planting plan prepared by BTI Landscape Architects, dated August 19, 2005, is recommended by CVC staff for the proposed development on the subject property.

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.

Please note that the proposed development is located within a CVC Regulated Area. On this basis, a permit from CVC is required prior to the issuance of a building permit from the City of Mississauga."

A letter was received from Koha Tran, owner of 6672 Rothschild Trail, indicating support of the application.

A letter was received from Satism Behl, owner of 6664 Rothschild Trail, indicating support of the application.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. B. Sanjim and having reviewed the plans, is satisfied that the request is desirable for the appropriate further development of the subject property. All of the homes in the area were built with existing raised decks and the proposal fits in with the character of the area.

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

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

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

MOVED BY:	D. George	SECONDED BY:	D. Reynolds	CARRIED
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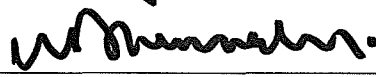
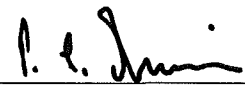
File: "A" 454/16
WARD 11

Application Approved.

Dated at the City of Mississauga on November 17, 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 **DECEMBER 7, 2016**.

Date of mailing is November 21, 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 November 17, 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

DR. DOMENICA BATTISTA

on Thursday November 10, 2016

Dr. Domenica Battista is the owner of 791 Mississauga Valley Boulevard being Part of Lot 11, Concession 1, N.D.S., and Part of Block C, Part of Block KX, and Part of Bloor Street, Registered Plan 922, zoned R3, Residential. The applicant requests the Committee to authorize a minor variance to permit the operation of a dental office proposing:

1. two non-resident dentists practicing within the subject building, having a gross floor area of 156.77m² (1,687.51sq.ft.); whereas By-law 0225-2007, as amended, makes no provisions for this use;
2. a total of 6 (six) parking spaces, including parallel parking spaces having dimensions of 2.60m x 6.20m (8.53ft. x 20.34ft.); whereas By-law 0225-2007, as amended, requires a minimum of 10 (ten) parking spaces, and requires parallel parking spaces to have dimensions of 2.60m x 6.70m (8.53ft. x 21.98ft.) in this instance; and,
3. an aisle width of 2.42m (7.93ft.); whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (22.96ft.) in this instance.

Mr. W.E Oughtred of W.E Oughtred & Associates, authorized agent, attended and presented the application to permit the existing dental office to remain on the subject property. He indicated to Committee that the applicant had been seeking further approval subsequent to the decision made in 1993. Mr. Oughtred indicated to Committee that the 1993 decision had lapsed in 1998 and that one of the conditions was that the decision was tied to Dr. Batista being the owner and operator of the subject lands. The applicant wished to sell the business thus making the decision null and void. He noted that the decision lapsed in 1998. Mr. Oughtred advised the Committee that the application request is the same as what was previously requested.

Mr. Oughtred presented the site plan of the property and indicated that the site has not changed since the originally approved site plan was approved and the existing office had been there for about 30 years.

He indicated that there were some neighbour concerns regarding changes to the property and indicated that there were no changes proposed for the site and that the application was essentially a continuation from what was approved in 1993.

Mr. Oughtred addressed the planning comments stating that he was in agreement with the proposed condition to allow for only one dentist to practice at one time as it had been operating under this condition for the entire time that the office had been in operation.

He requested that the decision be permanent or on a temporary 5 year basis as there have not been any complaints on the property since it had been in operation and that a rezoning application was not necessary as the dental office had been Site Plan approved many years ago.



MISSISSAUGA

File: "A" 456/16

WARD 4

Mr. Oughtred concluded by advising the Committee that there were 3 or 4 staff including the receptionist operating within the dentist office at any time.

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

The City of Mississauga Planning and Building Department commented as follows (November 4, 2016):

"Recommendation"

The Planning and Building Department advises that the application should be considered through an Official Plan Amendment and Rezoning Application.

Background

Mississauga Official Plan

Character Area: Mississauga Valley Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3

Other Applications:

New Certificate of Occupancy Required

Comments

Zoning

We note that a certificate of occupancy permit application is required. In the absence of a certificate of occupancy permit application we are unable to confirm the accuracy of the requested variances or determine whether additional variances may be required. It should be noted that the variances, as requested, have been reviewed based on information provided, however a full zoning review has not been completed.

A previous Certificate of Occupancy was issued (94-7559) specific to Dr. Battista Dental Office. A new C of O will be required for this dental office.

Planning

The subject site is located at the south west corner of Bloor Street and Mississauga Valley Boulevard. To the east is a neighbourhood commercial centre. To the north, south, and west, is low density residential. Bloor Street and Mississauga Valley Boulevard are served by public transit routes. The lot is a corner property, flanking Bloor Street. The residential lots on Bloor Street have reverse frontage. The frontage on Mississauga Valley Boulevard is consistent with adjacent residential dwellings, but the front façade is oriented toward Bloor Street. The subject site is a former detached residential dwelling that has been operating as a dental office since 1987.

The application requests to permit a non-resident dental use, a reduction of parking spaces, and a reduced parking aisle width. No changes are proposed to the building. The application is required because of a change in ownership.

Previously, 'A' 615/87 and 'A' 966/92 requested similar variances for use and parking spaces. Most recently it was approved for five years to expire before January 31, 1998 subject to conditions:



MISSISSAUGA

File: "A" 456/16
WARD 4

1. The decision is personal to "Domenico Battista" and should the subject premises cease to be owned and/or occupied by same this decision shall be null and void.
2. Site Development Plan Approval from the Site Plan Committee of the City of Mississauga.
3. There shall not be more than one dentist practicing at any one time.

At the time of the initial application in 1987 the Planning and Building Department did not support the variance. The proposed non-resident dental office is contrary to the intent of the Official Plan; which designates the property Residential Low Density I. The Official Plan designation permits home occupation, and accessory offices for resident physicians, dentists, health professionals, and drugless practitioners, but not non-resident dentists.

Regarding the parking variances, given the site is a longstanding dental office operating with six parking spaces as opposed to the required 10 spaces, and the requirement for a new variance application appears to be in-part the result of a change in ownership, staff have no concerns with the proposed parking and aisle width variances. However, previous conditions (i.e. there shall not be more than one dentist practicing at any one time) should be considered and requested if appropriate.

The application indicates the new owner would like to continue to operate the dental office while he rezones the subject property to a site specific zoning.

If the committee is satisfied with the proposal, we recommend the following conditions:

1. A temporary approval.
2. There shall not be more than one dentist practicing at any one time.

Based on the preceding, the Planning and Building Department recommends that the application could be considered through an Official Plan Amendment and Rezoning."

The City of Mississauga Transportation and Works Department commented as follows (November 5, 2016):

"We are enclosing for Committee's easy reference a number of photos which depict the subject property. From the information submitted with the application it is our understanding that the current dentist which has been operating the dental office at this location since 1992 is selling the practice and the new owner would like to continue the existing dental office until the property is rezoned to a specific site zoning. Acknowledging that the existing parking layout and on site circulation for this property can at best be described as poor, the new owner should be advised that through a future Official Plan Amendment and Rezoning staff may not support the current on site conditions.

In view of the above, and should Committee see merit in the applicant's request we would recommend that any approval be subject to only one dentist practicing at any one time and also that the approval be temporary in nature to allow for the required Official Plan Amendment and Rezoning to be processed."

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

Any changes to the underground water or sanitary sewer, as a result of proposed use, will require review by the Region of Peel. Site Servicing approvals are required.

A letter was received from Ms. D. Garlick, property owner at 3359 Charmaine Heights indicating her objection to the application.

A letter was received from Enzo Fregonese on behalf of the owners at 785 Mississauga Valley Boulevard, stating their objection to the application.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. W.E Oughtred and having reviewed the plans, is satisfied that the request is desirable for the appropriate further development of the subject property. The site has been functioning for a long period of time and has not caused an overwhelming concern. They indicated that many of the clients would be within walking distance. They noted that Site Plan Approval was originally obtained for the 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 five (5) years and is to expire and terminate on or before December 31, 2021 and is subject to the following conditions:

1. There shall not be more than (1) one dentist practicing at any one time.

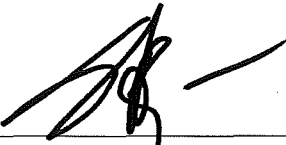
MOVED BY:	J. Page	SECONDED BY:	P. Quinn	CARRIED
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Application Approved, temporarily, on condition as stated.

Dated at the City of Mississauga on November 17, 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 **DECEMBER 7, 2016**.


Date of mailing is November 21, 2016.

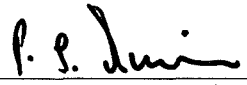


S. PATRIZIO (CHAIR)

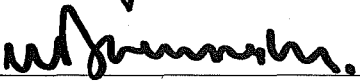
DISSENTED

J. ROBINSON



J. PAGE

P. QUINN

D. GEORGE

D. KENNEDY

D. REYNOLDS

I certify this to be a true copy of the Committee's decision given on November 17, 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

ESDEB CONSTRUCTION

on Thursday, November 10, 2016

Esdeb Construction is the owner of 2273 Dundas Street West being Lots 335-337, Registered Plan 915, and Part of Lot 35, Concession 1, N.D.S., zoned C3-1, Commercial. The applicant requests the Committee to authorize a minor variance to permit the establishment of a sports bar restaurant within Unit 13 of the subject building proposing a total of 294 parking spaces for all uses on site and being located approximately 55.00m (180.44ft.) from a Residential zone; whereas By-law 0225-2007, as amended, requires a minimum of 397 parking spaces to be provided for all uses on site and requires a minimum separation distance of 60.00m (196.85ft.) from a restaurant to a Residential zone in this instance.

Mr. W.E. Oughtred, of W.E. Oughtred & Associates Inc., authorized agent, attended and presented the application to permit the establishment of a new restaurant on the subject property. Mr. Oughtred presented a site plan and advised that the restaurant, to be known as 'Guildhouse Sports Bar', will occupy Unit # 13. He advised that a Parking Utilization Study has been prepared and substantially justifies the requested reduction in parking and noted that the parking demand does not exceed 60%.

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

The City of Mississauga Planning and Building Department commented as follows (November 4, 2016):

"Recommendation

The Planning and Building Department has no objection to the requested variance; however, the applicant may wish to defer the application to submit the required Certificate of Occupancy to verify the accuracy of the requested variances.

Background

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: C3-1 (Commercial)

Other Applications:

Certificate of Occupancy File: Required

Comments

Zoning

A Certificate of Occupancy permit application is required and in the absence of a Certificate of Occupancy permit application we are unable to confirm the accuracy of the requested variance or determine whether additional variances may be required.

Planning

Planning staff have reviewed a Parking Utilization Study prepared by Beacon Planning Services, dated October 18, 2016, and are satisfied that the requested variance will not create a parking deficiency on the subject property. The Parking Utilization Study demonstrates that the proposed sports bar use in Unit 13 will have peak parking demands at different times than many other uses in the plaza. The study demonstrates that the worst case scenario would be Friday night at 7:00pm where the current peak demands across the existing uses and the assumed peak demand for the sports bar will result in the maximum required parking; the total required parking in this scenario would still result in a surplus of available parking spaces.

The applicant also requires relief from the 60 m (196.85 ft.) separation distance from a residential zone. The applicant is proposing 55 m (180.44 ft.) so the requested relief is relatively minor. Further, the nearest residential zone is on the other side of Dundas Street West.

Based on the preceding information, Planning staff is satisfied that the intent of the Zoning By-law is generally maintained and the Department has no objection to the requested variance; however, the applicant may wish to defer the application to submit the required Certificate of Occupancy to verify the accuracy of the requested variances."

The City of Mississauga Transportation and Works Department commented as follows (November 5, 2016):

"This Department has no objections, comments or requirements with respect to C.A. 'A' 457/16."

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

"We have no comments or objections."

No other persons expressed any interest in the application.

Mr. Oughtred requested that the application be amended to allow 294 parking spaces to be provided; whereas a minimum of 410 parking spaces are required. He indicated that the change is required to correspond with the parking study. Mr. Oughtred indicated that he applied for the minor variance prior to the completion of the parking study.

The Committee consented to the request and, after considering the submissions put forward by Mr. Oughtred and having reviewed the plans, is satisfied that the amended request is desirable for the appropriate further development of the subject property. They indicated that the distance to the Residential zone is minor in this instance and the parking study satisfactorily justifies the requested reduction in parking.

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

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



MISSISSAUGA

File: "A" 457/16

WARD 8

Accordingly, the Committee resolves to authorize and grant the amended request permit the establishment of a sports bar restaurant within Unit 13 of the subject building proposing a total of 294 parking spaces for all uses on site and being located approximately 55.00m (180.44ft.) from a Residential zone; whereas By-law 0225-2007, as amended, requires a minimum of 410 parking spaces to be provided for all uses on site and requires a minimum separation distance of 60.00m (196.85ft.) from a restaurant to a Residential zone in this instance.

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

Dated at the City of Mississauga on November 17, 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 **DECEMBER 7, 2016**.

Date of mailing is November 21, 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 November 17, 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

HAMED ABDULLAH & AYSHEA RAFIK

on Thursday November 10, 2016

Hamed Abdullah & Ayshea Rafik are the owners of 6853 Lisgar Drive being Lot 187, Registered Plan M-1052, zoned R4, Residential. The applicants request the Committee to authorize a minor variance to permit the existing driveway to remain having a width of 8.50m (27.89ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (19.68ft.) in this instance.

On September 8, 2016, Mr. H. Abdullah, the property owner, attended and presented the application and indicated that he constructed a wider driveway than permitted in the By-law due to the lack of on-street parking. Mr. Abdullah submitted letters of support from his neighbours.

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

The City of Mississauga Planning and Building Department commented as follows (September 2, 2016):

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Lisgar Neighbourhood
Designation: Low Density Residential II

Zoning By-law 0225-2007

Zoning: R4

Other Applications:

Comments

Zoning

We note that a building permit is not required in this instance. It should be noted that the variances, 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. It appears that an additional variance for driveway setback



MISSISSAUGA

File: "A" 366/16
WARD 10

would be needed, we are unable to confirm if an additional variance is needed for soft area landscaping.

Planning

The requested driveway width and configuration provides excessive hard surface. The zoning by-law intends that the width of the driveway be limited to provide space for two vehicles to be parked side by side.

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

The City of Mississauga Transportation and Works Department commented as follows (September 8, 2016):

"This department is not supportive of the existing driveway as widened and would recommend that some modifications be made which would discourage three vehicles being parked side by side on the driveway. In this regard we would recommend that this application 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 staff which would specifically highlight the details of any modifications required to the existing driveway."

An e-mail was received from M. Mou, property owner at 6858 Lisgar Drive, expressing opposition to the application and noting his concerns with respect to traffic, safety, congestion, and delay in garbage pick up.

An e-mail was received from K. Raveendran, resident at 6867 Yarrow Avenue, expressing opposition to the application and noting concerns with respect to runoff due to the increased amount of paving and the number of vehicles being parked in the driveways impacting the 'look and feel' of the neighbourhood.

The Region of Peel, Public Works, Development Services Division commented as follows (September 2, 2016):

"We have no comments or objections"

Letters were received from the residents at 6857, 6865, 6878, 6874, 6850, 6846, 6828, 6833, 6837, 6845, 6849, 6870, and 6861 Lisgar Drive expressing no concerns with respect to the application.

No other persons expressed any interest in the application

The Committee indicated that the variance was excessive and suggested that the applicant may wish to consider deferring the application. The Committee also advised that additional variances may be required based on comments from staff.

Mr. Abdullah, after hearing the comments of the Committee requested the application be deferred to allow him an opportunity to meet with representatives of the Planning and Building Department and Transportation & Works Department regarding a possible re-design of the driveway.

The Committee consented to the request and the application was deferred to October 13, 2016.

On October 13, 2016, the Secretary-Treasurer advised the Committee that he is in receipt of correspondence indicating that the applicant is unable to attend due to a family emergency and requesting that the application be deferred for one month.

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

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

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Lisgar Neighbourhood
Designation: Low Density II

Zoning By-law 0225-2007

Zoning: R4

Other Applications:

Comments

Zoning

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

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

Planning

Previously the application was deferred in order for the applicant to modify the driveway design.

The Planning Department contacted the applicant on September 29, 2016, but no new submissions or information has been received.

The application indicated the width is necessary to park three vehicles. The zoning by-law intends that the width of the driveway be limited to provide space for two vehicles to be parked side by side. The requested driveway width provides excessive hard surface.

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

The City of Mississauga Transportation and Works Department commented as follows (October 6, 2016):

"Please refer to our comments submitted for the September 8, 2016 hearing of this application as those comments are still applicable."

The Region of Peel, Public Works, Development Services Division commented as follows (October 7, 2016):

"We have no comments or objections."

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the application to November 10, 2016.

On November 10, 2016, the Acting Secretary-Treasurer advised the Committee that her office has had no contact from the owner with respect to the status of the application. None of the outstanding deferral fees had been paid and are outstanding.



MISSISSAUGA

File: "A" 366/16
WARD 10

Robert Ruggiero, Planner for the City, attended the hearing and indicated that he has had no response to the messages left on the applicant's phone requesting revised information.

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

The City of Mississauga Planning and Building Department commented as follows (November 4, 2016):

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Lisgar Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4

Other Applications:

Comments

Zoning

Comments provided for the September 8, 2016 and October 13, 2016 hearing remain applicable.

Original Comment:

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

Previously the application was deferred in order for the applicant to modify the driveway design.

The Planning Department left a message for the applicant on September 29, 2016, but no new submissions have been received.

The application indicated the width is necessary to park three vehicles. The zoning by-law intends that the width of the driveway be limited to provide space for two vehicles to be parked side by side. The requested driveway width provides excessive hard surface.

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

The City of Mississauga Transportation and Works Department commented as follows (November 5, 2016):

"Please refer to our comments submitted for the September 8, 2016 hearing of this application as those comments are still applicable."



MISSISSAUGA

File: "A" 366/16
WARD 10

No other persons expressed interest in the application.

The Committee after having reviewed the plans and comments received, is not satisfied that the request is desirable for the appropriate use of the subject property.

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

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

Accordingly, the Committee resolves to deny the application for lack of prosecution.

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

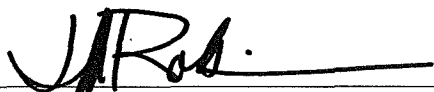
Dated at the City of Mississauga on November 17, 2016.

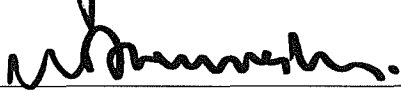
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **DECEMBER 7, 2016**.

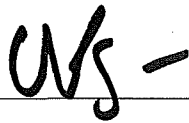
Date of mailing is November 21, 2016.

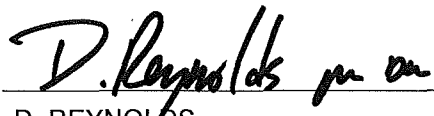

S. PATRIZIO

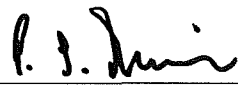

D. GEORGE


J. ROBINSON (CHAIR)

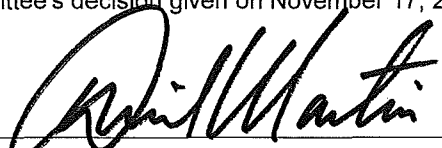

D. KENNEDY


J. PAGE


D. REYNOLDS


P. QUINN

I certify this to be a true copy of the Committee's decision given on November 17, 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

CARLOS NICOLAS

on Thursday November 10, 2016

Carlos Nicolas is the owner of 5654 Whitehorn Avenue being Lot 43, Registered Plan M-1135, zoned R4-7. The applicant requests the Committee to authorize a minor variance to permit the driveway to remain on the subject property proposing a maximum driveway width of 7.84m (25.72ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (19.68ft.) in this instance.

On September 15, 2016, Mr. N. Dell, authorized agent, attended and presented an image of the subject property before a new driveway was paved. He indicated that the existing driveway was the same width as the original driveway on the property. Mr. Dell indicated to the Committee that the newly paved driveway was the same width as the original and the paving was done purely for aesthetic reasons.

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

The City of Mississauga Planning and Building Department commented as follows (September 9, 2016):

"Recommendation

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

Background

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R4-7

Other Applications:

Comments

Zoning

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

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

Planning

The requested driveway width and configuration provides excessive hard surface, minimal landscaping, and ample space for three vehicles to be parked side by side, as seen in the attached photos. The zoning by-law intends that the width of the driveway be limited to provide space for two vehicles to be parked side by side.

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

The City of Mississauga Transportation and Works Department commented as follows (September 6, 2016):

"This department is not supportive of the existing driveway as widened and would recommend that modifications be made which would discourage three vehicles from being parked side by side on the driveway. With regards to the widened driveway within the municipal boulevard area (area between sidewalk and curb) we would request that this area be re-instated with topsoil and sod.

In view of the above we would recommend that this application 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 staff which would specifically highlight the details of any modifications required to the existing driveway which could be supported by city staff.

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

The Region of Peel, Public Works, Development Services Division commented as follows (September 9, 2016):

"We have no comments or objections."

No other persons expressed any interest in the application.

The Committee indicated that the original driveway is in contravention of the existing By-law and further advised that the current driveway is also in contravention.

The Committee indicated that the Planning & Building Department comments as well as Transportation & Works Department comments are unfavourable. Mr. Dell requested that the application be deferred to allow him an opportunity to address the concerns.

The Committee consented to the request and the application was deferred to October 20, 2016.

On October 20, 2016, Mr. N. Dell, authorized agent, attended the hearing and indicated that he wished to defer the application in order to amend the request and submit revised drawings.

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

The City of Mississauga Planning and Building Department commented as follows (October 14, 2016):

"Recommendation

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

Background

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Low Density II

Zoning By-law 0225-2007

Zoning: R4-7

Other Applications:

Comments

Zoning

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

Planning

The application was originally heard on September 15, 2016. No new submissions or information has been received. Previous comments still apply.

The requested driveway width and configuration provides excessive hard surface, minimal landscaping, and ample space for three vehicles to be parked side by side, as seen in the attached photos. The zoning by-law intends that the width of the driveway be limited to provide space for two vehicles to be parked side by side.

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

The City of Mississauga Transportation and Works Department commented as follows (October 13, 2016):

"Please refer to our comments submitted for the September 15, 2016 hearing of this application as those comments are still applicable."

No other persons expressed interest in the application.

The Committee consented to the request and deferred that application to November 10, 2016.

On November 10, 2016, Mr. N. Dell, authorized agent, attended and presented the application to permit the existing driveway to remain. Mr. Dell advised the Committee that the application was deferred because the revised drawings were submitted too late for staff to review.

Mr. Dell advised the Committee that the variances for landscaping and driveway setback were no longer required and indicated that the applicant was only seeking a variance for the driveway width on the subject property. Mr. Dell presented a site plan and indicated to the Committee that the width of the driveway at the street was 6.46m (21.24 ft.) and that the width of the driveway was calculated at a wider width due to the walkway leading to the entrance being wider than 1.50m (4.92 ft.) in this instance.

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

The City of Mississauga Planning and Building Department commented as follows (November 4, 2016):

"Recommendation

The Planning and Building Department has no objection to the application, subject to the proposed walkway at the south side of the driveway be limited to 3.00 m (9.84 ft.) in length, measured from the face of the garage.

Background

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R4-7

Other Applications:

Comments

Zoning

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

Planning

The application was originally heard on September 15, 2016, and then again on October 20, 2016. The applicant met with Transportation and Works and revised the application. The proposed driveway width has been reduced from 8.40 m (27.55 ft.) to 7.84 m (25.72 ft.). The driveway is measured from the widest point, which is closest to the garage face, and it narrows to 6.46 m (21.19 ft.) when the driveway meets the sidewalk.

The zoning by-law intends that the width of the driveway be limited to provide space for two vehicles to be parked side by side.

The revised site plan does not indicate a dimension for the walkway length, and where the walkway attachment would taper down to the driveway. Without a dimension we are unable to verify if a third vehicle could be parked side by side. We recommend the walkway at the south side of the driveway be limited in length.

Based on the preceding, the Planning and Building Department has no objection to the application, subject to the proposed walkway at the south side of the driveway be limited to 3.00 m (9.84 ft.) in length, measured from the face of the garage."

The City of Mississauga Transportation and Works Department commented as follows (November 5, 2016):

"Further to our comments submitted for the September 15, 2016 Hearing of this application we are advising that a Revised Notice and sketch plan has been recirculated by the Committee of Adjustment Office on October 26, 2016 which we find acceptable. The amended Notice is now requesting a driveway width of 7.84M and the requested variance for the setback from the driveway to the side lot line has been removed. This department is also satisfied with the proposed modifications shown on the south side in the area of the front entrance, however we would suggest that the sketch plan recirculated be slightly amended to give some dimensions for the portion of the driveway to be re-instated in order to ensure that three vehicles being parked side by side be discouraged."

No other persons expressed interest in the application.

The Acting Secretary-Treasurer advised the Committee that the payment of the deferral fees remained outstanding.

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

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

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

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

1. The applicant is to proceed in accordance with the plans reviewed by the Committee.
2. The applicant shall submit all outstanding deferral fees to the Committee of Adjustment office. All non-certified funds shall be cleared by the respective financial institution prior to this decision being in effect.

MOVED BY:	D. George	SECONDED BY:	P. Quinn	CARRIED
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Application Approved, on conditions as stated.

Dated at the City of Mississauga on November 17, 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 **DECEMBER 7, 2016**.

Date of mailing is November 21, 2016.



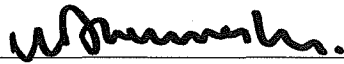
S. PATRIZIO




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 November 17, 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

KARAMJIT MAHAL

on Thursday November 10, 2016

Karamjit Mahal is the owner of 990 Focal Road being Lot 131, Registered Plan M-975 Lot 131, zoned R4. The applicant requests the Committee to authorize a minor variance to permit:

1. the existing driveway to be modified and remain having a maximum driveway width of 10.70m (35.10ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (19.68ft.) in this instance; and,
2. an exterior side yard of 0.60m (2.00ft.) to the accessory structure; whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 4.50m (14.76ft.) to the accessory structure in this instance.

On September 15, 2016, Ms. M. Starr, authorized agent, attended and presented the application. Ms. Starr presented a site plan for the Committee's review and consideration and advised that driveway has been enlarged to allow the residents to have closer access to the front and side entrances to the dwelling. Ms. Starr advised that the residents have mobility difficulties and the increased driveway width allows the occupants to easily access the vehicles and enter and exit from the vehicles using walkers.

Ms. Starr advised that the property contains ample landscaped area noting that the property is on a corner lot adjacent to a busy street. She indicated that the landscape buffer provided adjacent to the municipal street provides the appearance of additional landscaping and masks the actual width of the existing driveway. Ms. Starr advised that they do not park in the area in front of the dwelling entrance.

Ms. Starr provided copies of letters expressing support for the request.

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

The City of Mississauga Planning and Building Department commented as follows (September 9, 2016):

"Recommendation

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

Background

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R4

Other Applications:

Comments

Zoning

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

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

Planning

The requested driveway width and configuration creates excessive hard surface and space for four vehicles to be parked side by side. The configuration also provides an additional parking space adjacent to the garage. In total, at least five vehicles could be parked on the driveway, with an additional two parking spaces within the garage. The intent of the regulations of the zoning by-law is that a driveway width be limited to provide for two vehicles to be parked side by side.

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

The City of Mississauga Transportation and Works Department commented as follows (September 6, 2016):

"This department is not supportive of the existing driveway as widened and would recommend that modifications be made which would discourage three vehicles from being parked side by side on the driveway. With regards to the widened driveway within the municipal boulevard area (area between sidewalk and curb) we would request that this area be re-instated with topsoil and sod.

In view of the above we would recommend that this application 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 staff which would specifically highlight the details of any modifications required to the existing driveway which could be supported by city staff."

The Region of Peel, Public Works, Development Services Division commented as follows (September 9, 2016):

"We have no comments or objections."

An e-mail was received from Y. Xu, property owner at 5083 Terry Fox Way, expressing objection to the application and noting his concerns with respect to the number of vehicles attending the property and parked in the driveway and safety.

A letter was received from S. Mehalhed & I. Elwisy, property owners at 982 Focal Road, expressing support for the application as they understand that the variance is required to support the family in medical and disability issues.

A letter was received from M. Khela & S. Hanna, property owners at 986 Focal Road expressing no objection to the application as they understand that the variance is needed to support the family disability issues.



MISSISSAUGA

File: "A" 379/16
WARD 6

A letter was received from M. & J. Pereira, property owner at 977 Focal Road expressing no objection to the application as they understand that the variance is required to support the family disability needs.

No other persons expressed any interest in the application.

The Committee noted that there appeared to be a structure in the side yard.

Ms. Starr advised that they will be taking the structure down. She indicated that she would like an opportunity to provide additional information to the Planning and Building Department. Ms. Starr requested that the application be deferred to allow her an opportunity to address their concerns.

The Committee consented to the request and the application was deferred to November 10, 2016.

On November 10, 2016, Ms. M. Starr, authorized agent, attended and presented the application to allow the existing driveway to remain. She indicated that the driveway plan had been revised and that an additional variance was added for the accessory structure setback from the exterior side yard on the subject property. Ms. Starr presented a revised site plan depicting the driveway and she noted that the Planning Comments objections due to excessive hard space area were still outstanding. She advised the Committee that, due to the property being adjacent to Terry Fox Way, a major collector road, the excessive hard surface had sufficient screening and distance from the right of way and that the accessory structure in the rear yard would not be noticed by anyone driving along Terry Fox Way. Ms. Starr concluded by advising the Committee that the driveway had been reduced by 1.80m (5.90 ft.) and that she has worked with City staff in order to address their comments.

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

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

"Recommendation

The Planning and Building Department does not support variance #1, but has no objection to variance #2.

Background

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R4

Other Applications:

Comments

Zoning

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

Planning

The subject site is located at the corner of Focal Road and Terry Fox Way. It is a corner lot. The lot fronts Focal Road, which is characterized by detached dwellings. Terry Fox Way is classified as a Major Collector Road. Terry Fox Way has detached dwellings, a large dental office, and medium density townhouses.

Originally, the application requested a 12.50m (41.01 ft.) driveway width, and a 0.00m (0.00 ft.) setback to the side lot line. The revised application has modified the proposal and requests a 10.7m (35.1 ft.) driveway width and a reduction in exterior side yard to the accessory structure.

Variance #1 proposes a driveway width of 10.7m (35.1 ft.) whereas the by-law permits a maximum width of 6.0m (19.68 ft.). The requested driveway is measured at the widest point, which in this instance is closest to the garage. The drawing indicates that the driveway narrows where it meets the sidewalk. The drawing also indicates the proposed reinstatement of grass on the eastern side. The intent of the requirements in the zoning by-law is to limit driveway width to accommodate space for two vehicles to be parked side by side.

Variance #2 seeks to permit an exterior side yard for an accessory structure of 0.6m (2 ft.). Corner properties in R4 zones are required to have 4.5m exterior side yards. As stated above, the subject property flanks Terry Fox Way. Terry Fox Way has a varied built form. The application is not requesting a height variance, and as an accessory structure, has limited impact. The neighbouring lot has significant mature deciduous and coniferous landscaping. In our opinion, variance #2 is minor.

The Planning and Building Department does not support variance #1, but has no objection to variance #2."

The City of Mississauga Transportation and Works Department commented as follows (November 5, 2016):

"Further to our comments submitted for the September 15, 2016 Hearing of this application we are advising that a Revised Notice and sketch plan has been recirculated by the Committee of Adjustment Office on October 26, 2016 and we are advising that we are still not in a position to support the request. In our initial comments we recommended that modifications be made to discourage three vehicles from being parked side by side on the driveway. We also indicated that the widened driveway within the municipal boulevard be reinstated with topsoil and sod. The recirculated sketch plan shows a reduction of 1.8 M of the driveway on the side which we were not concerned with, our concerns were with the widened driveway portion on the west side (area where front entrance is located)."

An e-mail was received from Y. Xu, property owner at 5083 Terry Fox Way, expressing objection to the application and noting his concerns with respect to the number of vehicles attending the property and parked in the driveway and safety.

No other persons expressed interest in the application.

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

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

The Committee is of the opinion that the requested variance is minor in nature in this instance. The driveway is well screened and there is a lack of parking for any guests that may visit the subject property as the property is adjacent to a major street.



MISSISSAUGA

File: "A" 379/16
WARD 6

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

1. The applicant is to proceed in accordance with the plans reviewed by the Committee.
2. The applicant shall submit all outstanding deferral fees to the Committee of Adjustment office. All non-certified funds shall be cleared by the respective financial institution prior to this decision being in effect.


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

Dated at the City of Mississauga on November 17, 2016.

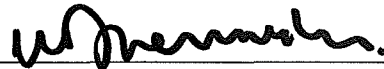
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **DECEMBER 7, 2016**.

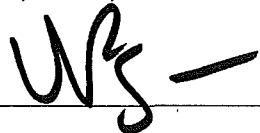
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S. PATRIZIO

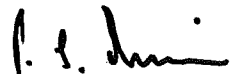

D. GEORGE


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 November 17, 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.