

**COMMITTEE OF ADJUSTMENT
RESULTS**



Location: COUNCIL CHAMBER
Hearing: February 23, 2017 AT 1:30 P.M.

File	Name of Applicant	Location of Land	Ward	Decision
<u>NEW APPLICATIONS - (CONSENT)</u>				
B-008/17	ORLANDO CORPORATION & CHIEFTON INVESTMENTS LIMITED	3075 CARAVELLE DR & 6700 NORTHWEST DR.	5	Approved
<u>NEW APPLICATIONS - (MINOR VARIANCE)</u>				
A-061/17	DOMENIC FIGLIOMENI	137 KENOLLIE AVE	1	Approved
A-062/17	GIANCARLO DI GIAMBATTISTA	1617 CAMELFORD RD	2	Approved
A-063/17	OOMMEN THEVARUKATTIL THOMAS & ANU OOMMEN THOMAS	1681 FENGATE DR	11	May 4
A-064/17	SOFIA & WIESLAW WOLSKI	2116 GORDON DR	7	Approved
A-065/17	ELGA GIATTI DA SILVA	3318 HUXLEY DR	8	Mar. 30
A-066/17	ROSEMARY NAEMSCH	749 MONTBECK CRES	1	Mar. 30
A-067/17	MICHAEL NAEMSCH	751 MONTBECK CRES	1	Mar. 30
A-068/17	MIKE RUTIGLIANO	228 ANGELENE ST	1	Mar. 30
<u>DEFERRED APPLICATIONS - (MINOR VARIANCE)</u>				
A-411/16	RIPPAN & RACHNA CHOWDARY	7166 SAINT BARBARA BLVD	11	Approved
A-420/16	PARMINDER & PARAMJEET GAIDHU	7145 SAINT BARBARA BLVD	11	Approved
A-465/16	PRASHANT SRIVASTAVA	5424 COLDSRING WAY	9	Refused
A-487/16	PATTY SOOKHAI	4820 LIGHTHOUSE CRT	4	Approved
A-488/16	PATTY SOOKHAI	4768 LIGHTHOUSE CRT	4	Approved
A-489/16	PATTY SOOKHAI	4281 GUILDWOOD WAY	4	Approved
A-493/16	MARIO GOMES & GEORGE ROMEIRO	1898 MATTAWA AVE	1	Apr. 27
A-496/16	UMAIR MANZOOR	1 BROOKSIDE DR	11	Approved
A-030/17	BARRY DAWE	1402 BUCKBY RD	2	Apr. 27



MISSISSAUGA

File: "B" 8/17
WARD 5

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

ORLANDO CORPORATION

on Thursday February 23, 2017

Orlando Corporation is the owner of 6700 Northwest Drive being part of Lot 9, Concession 7, EHS, zoned E3 - Employment. The applicant requests the consent of the Committee for the conveyance of a parcel of land having an approximate area of 1.233 ha (3.047 ac) and for the conveyance of reciprocal easements for access purposes. The intent of the application is to allow the conveyed lands to be merged with the adjacent lands to the west municipally known as 3075 Caravelle Drive.

Mr. L. Malito, the authorized agent, attended and presented the subject application. Mr. Malito advised the Committee that the proposed conveyed lands had been subject to a land exchange between the municipality and the property owner to allow for the realignment of Caravelle Drive and for the development of the subject property. He noted that through this process there had been a portion of land that had been transferred to an adjacent property in contravention to the subdivision controls pursuant to the *Planning Act* and indicated that the proposal would facilitate the proper transfer of the lands and for the creation of reciprocal access easements.

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 (February 17, 2017)
City of Mississauga, Transportation and Works Department (February 16, 2017)
Region of Peel, Environment, Transportation and Planning Services (February 17, 2017)
Bell Canada, Right-of-Way (February 14, 2017)

No other persons expressed any interest in the application.

The Secretary-Treasurer reviewed the recommended conditions for the Committee's consideration should the application be approved.

Mr. Malito consented to the imposition of the proposed conditions.

The Committee, after considering the submissions put forward by Mr. Malito 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 conveyed 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 services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A solicitor's undertaking shall be received which shall be to the effect that, at the time of registration of the transfer to which the Secretary-Treasurer's Certificate under the Planning Act, is affixed, the conveyed land and the abutting land being 3075 Caravelle Drive, shall be "merged" for Planning Act purposes [see subsections 50(3) and/or 50(5)].
5. An undertaking shall be received from a solicitor confirming that the legal description of the "resultant" lot and the legal description in any mortgage(s) or charge(s) encumbering any part of the "resultant" parcel will be identical within four (4) weeks of the date of the Secretary-Treasurer's Certificate under the Planning Act, or alternatively, that no part of the "resultant" lot is encumbered by any mortgage(s)/charge(s) etc. (The resultant parcel is the conveyed land and the land to which the conveyed land is to be merged).
6. Subsection 50(3) and/or 50(5) of the Planning Act, shall apply to any subsequent conveyance or transaction and the Secretary-Treasurer's Certificate shall contain reference to this stipulation.



File: "B" 8/17
WARD 5

MOVED BY: D. George

SECONDED BY: P. Quinn

CARRIED


Application Approved on conditions as stated.


Dated at the City of Mississauga on March 2, 2017.

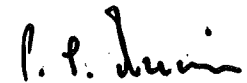
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **MARCH 26, 2017**.


Date of mailing is March 6, 2017.

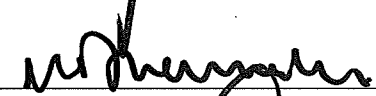

S. PATRIZIO (CHAIR)

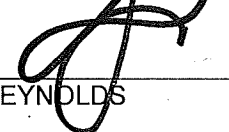

J. ROBINSON


J. PAGE


P. QUINN


D. GEORGE


D. KENNEDY


D. REYNOLDS

I certify this to be a true copy of the Committee's decision given on March 2, 2017.


BRIAN BONNER
ACTING 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 **March 6, 2018**.

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
DOMENIC FIGLIOMENI

on Thursday February 23, 2017

Domenic Figliomeni is the owner of 137 Kenollie Avenue being Part of Lots 11 and 12, Lot 13, Registered Plan E-13, zoned R2-5, Residential. The applicant request the Committee to authorize a minor variance to permit the construction of two (2) accessory structures, a pergola and a gazebo in the rear yard of the subject property proposing:

1. two (2) accessory structures on the subject property; whereas By-law 0225-2007, as amended, permits one (1) accessory structure in this instance,
2. one (1) accessory structure having a floor area of 16.92m^2 (182.13sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum floor area for an accessory structure of 10.00m^2 (107.64sq.ft.) in this instance,
3. an accessory structure (fireplace) having a height of 3.30m (10.82ft.); whereas By-law 0225-2007, as amended, permits an accessory structure height of 3.00m (9.84ft.) in this instance,
4. a pergola having a floor area of 24.60m^2 (264.80sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum floor area for a pergola of 10.00m^2 (107.64sq.ft.) in this instance; and,
5. a gazebo having a floor area of 11.89m^2 (127.98sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum floor area for a gazebo of 10.00m^2 (107.64sq.ft.) in this instance.

Mr. F. Di Sarra, the authorized agent, attended and presented the subject application to construct accessory structures and a gazebo within the rear yard of the property. Mr. Di Sarra advised the Committee that he had submitted a report detailing the project.

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

City of Mississauga, Planning and Building Department (February 17, 2017)

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-5 (Residential)

Other Applications:

Building Permit File: BP9 NEW 16R 3927

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 advise that the variances should be amended as follows:

1. Three (3) accessory structures on the subject property (one (1) existing to remain and two (2) proposed); where By-law 0225-2007, as amended, permits one (1) accessory structure in this instance,
2. one (1) accessory structure having an area of 16.92 m² (182.13 sq. ft.) and a coverage of 30.87 m² (332.28 sq. ft.) (cabana + 0.91 m (3.00 ft.) overhang); whereas By-law 0225-2007, as amended, permits a maximum floor area for an accessory structure of 10.00 m² (107.64 sq. ft.) in this instance,
4. a pergola having a floor area of 25.33 m² (272.65 sq. ft.); whereas By-law 0225-2007, as amended, permits a maximum floor area for a pergola of 10.00 m² (107.64 sq. ft.) in this instance,
5. a gazebo having an occupied area of 11.89 m² (127.98 sq. ft.); whereas By-law 0225.2007, as amended, permits a maximum occupied area for a gazebo of 10.00 m² (107.64 sq. ft.) in this instance,

Planning

The applicant is requesting five minor variances to permit the construction of multiple accessory structures in a central area in the rear yard that collectively form a larger structure. Although the Gross Floor Area (GFA) of each structure exceeds the permissions of the Zoning By-law, the lot is a large lot that can accommodate larger than permitted accessory structures while remaining proportional to the lot, dwelling and neighbourhood. Further, the lot is well treed and the height provisions of the Zoning By-law are met, with the exception of a relatively minor increase for the fireplace, which does not add significant additional massing.

The intent of the Zoning By-law provision for a maximum GFA of an accessory structure is to ensure that accessory structures remain appropriately proportional to the lot, dwelling and neighbourhood. In this instance, the increased GFA is partially attributed to an increased eave overhang which does not contribute the same amount of mass as the structure would. Further, the central location on the lot mitigates the impacts to neighbouring properties.

Given the size of the lot and the proposed location of the accessory structures, the Department is of the opinion that the general intent of the Zoning By-law is maintained and that the requested variances are minor in nature.

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

City of Mississauga, Transportation and Works Department (February 16, 2017)

"This department would have no objections to the applicant's request to permit the construction of the 2 accessory structures in the rear yard provided that the existing drainage pattern is maintained."

A planning justification report was received from the applicant.



MISSISSAUGA

File: "A" 61/17
WARD 1

No other persons expressed any interest in the application.

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

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

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of two (2) accessory structures, a pergola and a gazebo in the rear yard of the subject property proposing:

1. Three (3) accessory structures on the subject property (one (1) existing to remain and two (2) proposed); where By-law 0225-2007, as amended, permits one (1) accessory structure in this instance;
2. one (1) accessory structure having an area of 16.92 m² (182.13 sq. ft.) and a coverage of 30.87 m² (332.28 sq. ft.) (cabana + 0.91 m (3.00 ft.) overhang); whereas By-law 0225-2007, as amended, permits a maximum floor area for an accessory structure of 10.00 m² (107.64 sq. ft.) in this instance;
3. an accessory structure (fireplace) having a height of 3.30m (10.82ft.); whereas By-law 0225-2007, as amended, permits an accessory structure height of 3.00m (9.84ft.) in this instance;
4. a pergola having a floor area of 25.33 m² (272.65 sq. ft.); whereas By-law 0225-2007, as amended, permits a maximum floor area for a pergola of 10.00 m² (107.64 sq. ft.) in this instance; and,
5. a gazebo having an occupied area of 11.89 m² (127.98 sq. ft.); whereas By-law 0225.2007, as amended, permits a maximum occupied area for a gazebo of 10.00 m² (107.64 sq. ft.) in this instance.



File: "A" 61/17
WARD 1

MOVED BY: P. Quinn SECONDED BY: J. Robinson CARRIED


Application Approved, as amended.

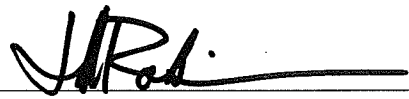
Dated at the City of Mississauga on March 2, 2017.

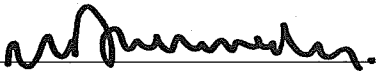
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **MARCH 22, 2017**.

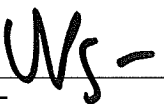
Date of mailing is March 6, 2017.

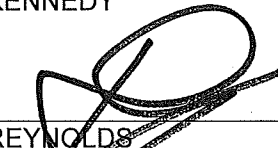

S. PATRIZIO (CHAIR)

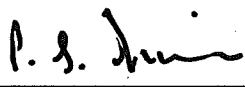

D. GEORGE


J. ROBINSON


D. KENNEDY


J. PAGE


D. REYNOLDS


P. QUINN

I certify this to be a true copy of the Committee's decision given on March 2, 2017.


BRIAN BONNER
ACTING 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

GIANCARLO DI GIAMBATTISTA

on Thursday February 23, 2017

Giancarlo Di Giambattista is the owner of 1617 Camelford Road being Lot 46, Registered Plan 558, zoned R2-4 - Residential. The applicant request the Committee to authorize a minor variance to permit the construction of a two storey dwelling on the subject property proposing:

1. a lot coverage of 310.89m² (3,346.39sq.ft.) of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 302.86m² (3,259.96sq.ft.) of the lot area in this instance;
2. two walkway attachments on each side of the driveway; whereas By-law 0225-2007, as amended, permits one walkway attachment on each side of a driveway in this instance; and,
3. a gross floor area - infill residential of 453.91m² (4,885.85sq.ft.) whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 391.91m² (4,218.48sq.ft.) in this instance.

Mr. G. Di Giambattista, the authorized agent, attended and presented the application to construct a new two storey dwelling. Mr. Di Giambattista advised the Committee that the property was a corner lot which made the property challenging to develop. He explained that the new dwelling would maintain the general setbacks of the existing dwelling and that it would be configured on the property to best preserve his outdoor amenity space. Mr. Di Giambattista explained that he preferred the design of two walkways to be attached to the driveway and suggested that their design minimized the amount of hard surface.

Mr. Di Giambattista advised the Committee that he required a large dwelling because his extended family would reside with him. He explained that the dwelling would have a master building on the main floor and four bedrooms on the second storey resulting in an overage in floor area. Mr. Di Giambattista indicated that the lot coverage and gross floor area would of the proposed dwelling would comply with the Zoning By-law if the adjacent municipal day-light-triangle was included in his land holdings. He suggested that the proposed dwelling was compatible with the other dwellings that had been built within the area. Mr. Di Giambattista noted that the design of the proposed dwelling and placement of its windows would be sensitive to the privacy of the neighbours.

Mr. Di Giambattista indicated that he had talked to several neighbours within the circulation area and confirmed that he hadn't received any negative feedback.

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

City of Mississauga, Planning and Building Department (February 17, 2017)

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-4 (Residential)

Other Applications:

Site Plan Approval Application File: SPI 16/151

Comments

Zoning

The Planning and Building Department is currently processing a Site Plan Approval application and based on the review of the information currently available, we recommend that the variances be amended as follows:

1. A lot coverage of 30.80% of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% of the lot area, in this instance.

Planning

The Planning and Building Department recommends that the applicant defer the application to redesign the dwelling. This Department will not support the requested increase in Gross Floor Area (GFA) as currently presented in this application. The requested increase in GFA does not maintain the intent of the Zoning By-law and is not minor in nature. The context of the immediate surrounding area consists of predominantly bungalows, with the occasional one and a half storey or two storey dwelling, which have modest footprints on the lots. The proposed dwelling is not consistent with the character of the neighbourhood.

Based on the preceding information, the Planning and Building Department recommend that the application be deferred."

City of Mississauga, Transportation and Works Department (February 16, 2017)

"We note for Committee's information that the City is currently processing a Site Plan Application for this property, Reference SP 16/151. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process."

A letter was received from the residents of 1586, 1593, 1594 1597, 1602, 1605 & 1613 Wembury Road; 1588, 1606, 1609, 1616, 1621, 1624 & 1629 Camelford Road and 1593 & 1601 Winslow Road, expressing an interest in the subject application.

Mr. I. MacDonald, a resident of 1602 Wembury Road, attended and expressed his objection to the subject application. He noted concerns with the position of the dwelling on the property and its impact on shadowing and privacy.

Mr. R. Ruggiero, a Planner for the Planning and Building Department, attended and expressed concerns with the proposed size of the dwelling. He noted that the day-light-triangle did form a part of the applicants landholdings and therefore could not be considered in support of the proposed size of the dwelling.

No other persons expressed any interest in the application.

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



MISSISSAUGA

File: "A" 062/17

WARD 2

The Committee consented to the request and, after considering the submissions put forward by Mr. Di Giambattista and having reviewed the plans and comments received, is satisfied that the amended request is desirable for the appropriate further development of the subject property. The Committee was of the opinion that the proposed dwelling reflected the size and scale of the redevelopment occurring within the surrounding 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 amended request is minor in nature in this instance.



MISSISSAUGA

File: "A" 062/17
WARD 2

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of a two storey dwelling on the subject property proposing:

1. a lot coverage of 30.80% of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% of the lot area, in this instance.
2. two walkway attachments on each side of the driveway; whereas By-law 0225-2007, as amended, permits one walkway attachment on each side of a driveway in this instance.
3. a gross floor area - infill residential of 453.91m² (4,885.85sq.ft.) whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 391.91m² (4,218.48sq.ft.) 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: J. Page SECONDED BY: J. Robinson CARRIED

Application Approved, as amended, on condition as stated.

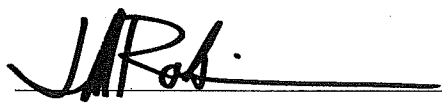
Dated at the City of Mississauga on March 2, 2017.

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 **MARCH 22, 2017**.

Date of mailing is March 6, 2017.


S. PATRIZIO (CHAIR)


D. GEORGE


J. ROBINSON


D. KENNEDY


J. PAGE


D. REYNOLDS


P. QUINN

I certify this to be a true copy of the Committee's decision given on March 2, 2017.


BRIAN BONNER

ACTING 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

SOFIA & WIESLAW WOLSKI

on Thursday February 23, 2017

Sofia & Wieslaw Wolski are the owners of 2116 Gordon Drive being part of Lot 10, Registered Plan E20, zoned R1-6 – Residential. The applicants request the Committee to authorize a minor variance to permit the construction of a new two storey dwelling on the subject property proposing:

1. a front yard of 9.75m (31.99ft.); whereas By-law 0225-2007, as amended, requires a minimum front yard of 12.00m (39.37ft.) in this instance;
2. a front porch encroachment inclusive of stairs of 4.17m (13.68ft.) into the front yard; whereas By-law 0225-2007, as amended, permits a maximum front porch encroachment inclusive of stairs of 1.60m (5.25ft.) in this instance; and,
3. a window well encroachment of 3.05m (10.00ft.) into the front yard; whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.61m (2.00ft.) into the front yard in this instance.

Ms. A. Wild, the authorized agent, attended and presented the subject application. Ms. Wild advised the Committee that the subject property was unique as it was smaller than other lots in the area. She noted that the dwelling would be cited in the general location as the existing dwelling on the property provide similar front and rear yard setbacks. Ms. Wild suggested that the positioning of the dwelling would be consistent with the dwelling on the southerly abutting property.

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

City of Mississauga, Planning and Building Department (February 17, 2017)

"Recommendation"

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

Background

Mississauga Official Plan

Character Area: Cooksville Neighbourhood (West)

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1-6 (Residential)

Other Applications:

Site Plan Approval Application File: SPI 16-107

Comments

Zoning

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

Planning

The applicant is proposing the construction of a new two storey dwelling on the subject property. The lot is significantly shallower than the adjacent lots along Gordon Drive and Harborn Trail, which have the same R1-6 Zoning. The requested reduction in front yard setback to 9.75 m (31.99 ft.) from 12.00 m (39.37 ft.) is only required to one portion of the front wall of the dwelling and is a relatively minor reduction from the required setback. Other portions of the front wall of the dwelling range in front yard setback to 11.09 m (36.39 ft.). Further, the proposed dwelling would have a front yard setback that is consistent with the existing setback to the dwelling on the corner of Gordon drive and Harborn Trail, which has the same depth as the subject property. One of the intents of the front yard setback provision of the Zoning By-law is to provide for a consistent building line along a street where possible.

The required variances for the porch encroachment and window well encroachment are required primarily because of the deficiency in front yard setback. The encroachment is measured from the required setback, rather than from the wall of the dwelling. As a result, the porch and the window well are not as large as the variance requests make them appear. The porch is centrally located and relatively narrow and the window well is a standard size that would not be out of character with the dwelling. Both variances are required to facilitate features that are proportional to the dwelling and the Department is of the opinion that the requests maintain the intent of the Zoning By-law.

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

City of Mississauga, Transportation and Works Department (February 16, 2017)

"We note for Committee's information that the City is currently processing a Site Plan Application for this property, Reference SP 16/107. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process."

Region of Peel, Environment, Transportation and Planning Services (February 17, 2017)

"This site does not have frontage on an existing municipal sanitary sewer"

No other persons expressed any interest in the application.

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

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

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

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

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

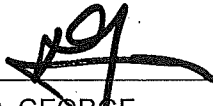
Application Approved.

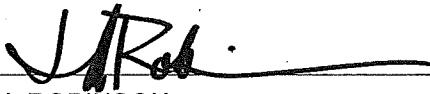
Dated at the City of Mississauga on March 2, 2017.

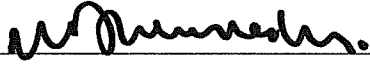
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **MARCH 22, 2017**.

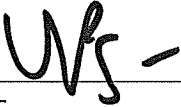
Date of mailing is March 6, 2017.

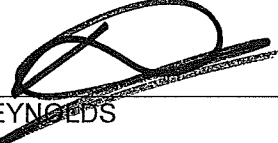


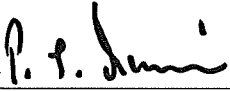
S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on March 2, 2017.



BRIAN BONNER
ACTING 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

RIPPAN & RACHNA CHOWDARY

on Thursday February 23, 2017

Rippan & Racha Chowdary are the owners of 7166 Saint Barbara Boulevard being Lot 81, Registered Plan M-1759, zoned R10, Residential. The applicants request the Committee to authorize a minor variance to permit the existing driveway to remain having:

1. a driveway width of 6.10m (20.01ft); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (19.68 ft) in this instance.
2. a setback of 0.30m (0.98ft) from the driveway to the lot line; whereas By-law 0225-2007, as amended, requires a minimum setback of 0.60m (1.96 ft) from the driveway to the lot line in this instance.

On October 13, 2016, Mr. R. Chowdary, co-owner of the property, attended and requested that the application be deferred to allow him an opportunity to revise the plans to address the concerns identified in the comments.

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

City of Mississauga Planning and Building Department (October 7, 2016):

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood

Designation: Low Density II

Zoning By-law 0225-2007

Zoning: R10

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 property is located near Derry Rd W and McLaughlin Rd in a subdivision dating from 2009.



MISSISSAUGA

File: "A" 411/16
WARD 11

Based on a site visit, aerial imagery, and photos from Transportation and Works the application is not consistent. The requested variances, the attached site plan with proposed alterations, and the existing driveway do not match.

The requested variances provide for a driveway with an excessive amount of hard surface, and minimal landscaping. 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 recommend that this application be refused."

City of Mississauga Transportation and Works Department (October 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.

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 in this instance we would have no objections to Variance #2 which is requesting a 0.3M setback from the driveway to the lot line as there is no residential property immediately to the south."

Region of Peel, Public Works, Development Services Division (October 7, 2016):

"We have no comments or objections."

A letter was received from S. Paramawathan, resident at 7170 Saint Barbara Boulevard indicating no objections to the "as-built" driveway.

A letter was received from D. Ghumann, resident at 7161 Saint Barbara Boulevard indicating no objections to the "as-built" driveway.

No other persons expressed any interest in the application.

The Committee consented to the request and the application was deferred to November 24, 2016.

On November 24, 2016, Mr. D. Chhaniyara, the authorized agent, attended and presented the revised application to permit the existing driveway to remain on subject property. Mr. Chhaniyara advised the Committee that his client was unaware of the Zoning By-law requirements when making alterations to driveway. He explained that modifications were proposed to the existing driveway conditions to include planter boxes and landscaping to reduce the expanse of the driveway.

Mr. Chhaniyara indicated that the property was located near a busy intersection and that the design would allow for vehicles to safely egress the property.

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

The City of Mississauga Planning and Building Department (November 18, 2016):

"Recommendation

The Planning and Building Department recommends that variance #1 be refused, but the applicant may wish to defer the application to provide more information in order to verify the accuracy of variance #2.

Background Mississauga Official Plan



MISSISSAUGA

File: "A" 411/16
WARD 11

Character Area: Meadowvale Village Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R10

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 property is located near Derry Road West and McLaughlin Road in a subdivision dating from 2009.

The application was deferred on October 13, 2016 in order for the applicant to redesign the driveway. The application has revised their site plan, but the variances have not been amended. The requested variance for driveway width remains the same. It appears the widest point of the driveway is 9.14m (30.0 ft.), and it narrows toward the street. The application is proposing flower beds that would separate a walkway from the driveway, and flower beds within the side yard. More information is required in order to establish the height of the flower beds.

The applicant has met with Staff. The applicant indicated the flower beds would be permanent and designed to prevent vehicles from travelling over them. As indicated on the site plan, the proposed driveway with the flower beds would inhibit three vehicles from being parked side by side. However, the intent of the zoning by-law is to provide an opportunity for soft landscaping. As none of the existing hard surface is proposed to be removed, an excessive amount is provided. In our opinion, the intent of the zoning by-law is not maintained.

Based on the site plan, it appears that variance #2 may not be required.

Based on the preceding, the Planning and Building Department recommends that variance #1 be refused, but the applicant may wish to defer the application to provide more information in order to verify the accuracy of variance #2."

The City of Mississauga Transportation and Works Department (November 17, 2016):

"Further to our comments submitted for the October 13, 2016 hearing of this application we are advising that we find the revised drawing (DWG A1-1A) which has been recirculated by the Committee of Adjustment Office on November 9, 2016 acceptable. The Drawing provided depicts the southerly side of the driveway being replaced with a grassed area and also a proposed flower box. The Drawing also depicts a proposed flower bed on the northerly side in the area which would discourage three vehicles being parked side by side on the driveway."

No other persons expressed any interest in the application.

The Committee expressed concerns with the modifications to the municipally owned boulevard as depicted on the plan. They noted that the driveway apron could not be modified without municipal approval and that a portion of one of the planter boxes appeared to encroach into the boulevard. The Committee expressed further concerns that the heights of both planter boxes as they were not indicated on the submitted plans. The Committee noted that additional modifications could be made to improve the proposal and that accurate plans were required for circulation and review.

Mr. Chhaniyara requested a deferral of the application to allow for a revised plan to be submitted for circulation and review.

The Committee consented to the request and deferred the application to the February 9, 2017 hearing.

On February 9, 2017, Ms. R. Chowdary, the authorized agent, attended and presented the revised application.

Mr. D. Chhaniyara, the authorized agent, attended and requested to proceed with the revised proposal.

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

City of Mississauga, Planning and Building Department (February 7, 2017)

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R10

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

Following the deferral of this application in November 2016, the applicant met with Planning and Transportation and Works staff. The applicant has provided revised drawings to staff on February 7, 2016. The applications have not been revised and drawings have not been circulated.

The previous application requested a driveway of 9.27m and a side yard of 0.30m. The revised drawings indicate a driveway width of 6.10m and a side yard of 0.30m. A proposed flower bed separates the driveway from the walkway.

Based on the revised drawings we advise that variance #1 is no longer necessary.

The proposed driveway design includes a permanent flower bed. The permanent flower bed should inhibit vehicles to park on the walkway, and should inhibit three vehicles from parking side by side. The only variance required is a reduced side yard setback. In our opinion, the intent of the Zoning By-law is maintained.

Based on the preceding, the Planning and Building Department has no objection to the application, as amended, but the applicant may wish to defer the application in order to verify the accuracy of the requested variances. "

City of Mississauga, Transportation and Works Department (February 2, 2017)

"Further to our previous comments we are advising that city staff have met with the applicant to advise what modifications would be required to the existing driveway in order that we could support the request. The owner's representative has provided a revised driveway plan to the Committee of Adjustment Office, DWG No: SK-1A dated January 2017



MISSISSAUGA

File: "A" 411/16
WARD 11

circulated for our review on February 1, 2017, however this recirculation contains no revised Notice of Public Hearing.

This department has no objections to the proposed revisions and can support the modifications identified in the revised driveway plan dated January 2017 which depicts a proposed flower bed on one side and the reinstatement of the other side of the driveway to provide for a 2' grassed area. It should also be noted that the plan submitted should be revised to indicate the correct address of this property which is 7166 Saint Barbara Blvd and not 7149 Saint Barbara Blvd."

No other persons expressed any interest in the application.

The Committee noted that the revised plan and zoning information was not provided in time for staff to review. The Committee expressed concerns with the permanency of the proposed planter that was to separate the walkway and driveway. They noted that the plans presented did not show any specifications on how the planter bed would be a permanent barrier.

Mr. Chhaniyara requested a deferral of the application to allow for the necessary circulation and review of the proposal.

The Committee consented to the request and deferred the application to the February 23, 2017 hearing.

On February 23, 2017, Mr. D. Chhaniyara, the authorized agent, attended and presented the subject application to permit the existing oversized driveway to remain on the subject property. Mr. Chhaniyara confirmed that the landscaping bed would be a permanent feature.

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

City of Mississauga, Planning and Building Department (February 17, 2017)

"Recommendation"

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

Background

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R10

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

Following the deferral of this application at the February 9, 2017 hearing, the application has been revised and circulated.

Previously the applicant met with Planning and Transportation and Works staff.



MISSISSAUGA

File: "A" 411/16

WARD 11

The previous application requested a driveway of 9.27m and a side yard of 0.30m. The revised application requests a driveway width of 6.10m and a side yard of 0.30m. A proposed flower bed separates the driveway from the walkway.

The proposed driveway design includes a permanent flower bed. The permanent flower bed should inhibit vehicles to park on the walkway, and should inhibit three vehicles from parking side by side. The variance for an additional 0.10 m in driveway width will not cause further impact to the streetscape. The side yard abuts a municipal park. In this instance, the proposed reduced side yard setback provides adequate separation. In our opinion, the intent of the Zoning By-law is maintained.

Based on the preceding, the Planning and Building Department has no objection to the application, but the applicant may wish to defer the application in order to verify the accuracy of the requested variances."

City of Mississauga, Transportation and Works Department (February 16, 2017)

"Further to our previous comments we are advising that we find drawing (DWG A1-1C) recirculated by the Committee of Adjustment Office with the Revised Notice and Hearing Date acceptable. The drawing provided depicts a flower bed which is approximately 1.04M by 3.60M to be installed within the widened driveway portion which would discourage three vehicles from being parked side-by-side on the driveway. We are also noting that this department is not requesting any further modifications to be made to the portion of the driveway within the municipal boulevard area, in particular the area between the municipal sidewalk and curb."

No other persons expressed any interest in the application.

The Secretary-Treasurer advised the Committee that the deferral fees incurred at the October 13, 2016; November 24, 2016; and February 9, 2017 hearings remained outstanding.

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

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

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



MISSISSAUGA

File: "A" 411/16
WARD 11

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

1. The applicant shall proceed in accordance with the site plan reviewed by the Committee.
2. The applicant shall submit the outstanding \$600 of deferral fees.

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

Application Approved on conditions as stated.

Dated at the City of Mississauga on March 2, 2017.

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 **MARCH 22, 2017**.

Date of mailing is March 6, 2017.


S. PATRIZIO (CHAIR)


D. GEORGE


J. ROBINSON


D. KENNEDY


J. PAGE


D. REYNOLDS


P. QUINN

I certify this to be a true copy of the Committee's decision given on March 2, 2017.


BRIAN BONNER
ACTING 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

PARMINDER & PARAMJEET GAIDHU

on Thursday February 23, 2017

Parminder & Paramjeet Gaidhu are the owners of 7145 Saint Barbara Boulevard being Lot 7, Plan M-1758, zoned R10, Residential. The applicants request the Committee to authorize a minor variance to permit the existing driveway to remain providing a driveway width of 6.45m (21.16ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.18m (20.27ft.) in this instance.

On October 20, 2016, Mr. P. Gaidhu, property owner, attended and presented photos depicting the subject property and the existing driveway. He indicated to Committee that he needed more room to accommodate four cars on his property.

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

City of Mississauga Planning and Building Department (October 14, 2016):

"Recommendation"

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

Background

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R10

Other Applications:

Comments

Zoning

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 property is located near Derry Rd W and McLaughlin Rd in a subdivision dating from 2009.

The site plan attached in the application is not consistent with the supplied photos.

Based on a site visit, aerial imagery, and supplied photos, the requested variances provide for a driveway with an excessive amount of hard surface, and minimal landscaping. 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."

City of Mississauga Transportation and Works Department (October 13, 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 reinstated 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."

A letter was received from S. Satchithanathan, a resident of 7125 Saint Barbara Boulevard, confirming no concerns with the application.

No other persons expressed any interest in the application.

The Committee expressed concern with the amount of vehicles the driveway would be able to accommodate and noted the concerns raised by Transportation & Works staff.

Mr. Gaidhu requested a deferral of the application to allow him the opportunity to meet with Staff and consider redesigning the driveway.

The Committee consented to the request and deferred the application to November 24, 2016.

On November 24, 2016, Mr. P. and Ms. P. Gaidhu, the property owners, attended and presented the subject application to permit the existing driveway to remain on the subject property. Mr. Gaidhu indicated the additional driveway width would enhance the manoeuvrability and access to the vehicles parked on the driveway particularly during the winter. He advised the Committee that a portion of the driveway would be reduced and replaced with landscaping in efforts to address the concerns identified by staff.

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

The City of Mississauga Planning and Building Department (November 18, 2016):

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R10

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 property is located near Derry Road West and McLaughlin Road in a subdivision dating from 2009.

The application was deferred on October 20, 2016 in order for the applicant to redesign the driveway. The applicant has met with Staff, but has not revised the site plan or the requested variances.

The requested variance for driveway width provides an excessive amount of 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, and the remainder is an opportunity for soft landscaping.

Based on the preceding, the Planning and Building Department recommends that the application be refused."

The City of Mississauga Transportation and Works Department (November 17, 2016):

"Further to our comments submitted for the October 20, 2016 hearing we are advising that we have received no additional information and in this regard our previous comments are still applicable."

No other persons expressed any interest in the application.

The Committee indicated their concerns with the modifications made to the municipal boulevard. They further noted that the intent of the Zoning By-law restriction for driveway width was to prevent an excessive number of vehicles from being parked abreast on the property and to allow for sufficient landscaping for snow storage and storm water management.

Mr. and Ms. Gaidhu requested a deferral of the application to allow them the opportunity to meet with staff and redesign their proposal to address their concerns.

The Committee consented to the request and deferred the application to the February 9, 2017 hearing.

On February 9, 2017, Mr. D. Chhaniyara, the authorized agent, attended and requested to proceed with the revised proposal.

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

City of Mississauga, Planning and Building Department (February 7, 2017)

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R10

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

Following the deferral of this application in November 2016, the applicant met with Planning and Transportation and Works staff. The applicant has provided revised drawings to staff on February 7, 2016. The applications have not been revised and drawings have not been circulated.

The previous application requested a driveway of 11.58 m and a side yard setback of 0.00m. The revised drawings indicate a driveway width of 6.45m and a side yard of 0.60m. A flower bed is proposed separating the driveway from the walkway. Reinstatement of part of the boulevard is proposed.

Based on the revised drawings we advise that variance #2 is no longer necessary. Variance #1 should be amended as follows:

To permit a driveway width of 6.45 m (27.56 ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.18 m (20.28 ft.) in this instance;

The proposed driveway design includes a permanent flower bed. The permanent flower bed should inhibit vehicles to park on the walkway, and should inhibit three vehicles from parking side by side. The proposed driveway width of 6.45m should have no additional impact to the streetscape is considered minor and. In the opinion of staff, the intent of the Zoning By-law is maintained.

Based on the preceding, the Planning and Building Department has no objection to the application, as amended, but the applicant may wish to defer the application in order to verify the accuracy of the requested variances."

City of Mississauga, Transportation and Works Department (February 2, 2017)

"Further to our comments submitted for the October 20, 2016 hearing of this application we are advising that we have received no further information and in this regard our previous comments are still applicable."

City of Mississauga, Transportation and Works Department (February 7, 2017)

"Further to our comments provided for the February 9, 2017 hearing we are advising that we have just been circulated a revised driveway plan, DWG N: SK-1 dated December 14, 2016, however this recirculation contains no revised Notice of Public Hearing.

This department would recommend that some modifications be made to remove the triangular portion the widened driveway within the municipal boulevard (area between sidewalk and curb) on the south side of the driveway and the area be reinstated with topsoil and sod. We would also recommend that the small portion of the widened driveway on the north side (area between municipal sidewalk and curb) be reinstated with topsoil and sod to align with the modifications being made inside the property line to achieve a 2.0M setback to the property line."

No other persons expressed any interest in the application.

The Committee noted that the revised plan and zoning information was not provided in time for staff to review.

Mr. Chhaniyara requested a deferral of the application to allow for the necessary circulation and review of the proposal.

The Committee consented to the request and deferred the application to the February 23, 2017 hearing.

On February 23, 2017, Mr. D. Chhaniyara, the authorized agent, attended and presented the subject application to permit the existing oversized driveway to remain on the subject property. Mr. Chhaniyara confirmed that the landscaping bed would be a permanent feature.

The Committee reviewed the information and plans submitted with the.

City of Mississauga, Planning and Building Department (February 17, 2017)

"Recommendation"

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

Background

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R10

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.

Notwithstanding the above, we recommend the following amendment to variance #1:

A driveway width of 7.06 m (23.16ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.18m (20.27ft.) in this instance.

Planning

Following the deferral of this application at the February 9, 2017 hearing, the application has been revised and circulated.

Previously the applicant met with Planning and Transportation and Works staff.

The previous application requested a driveway of 11.58 m and a side yard of 0.00m. The revised application requests a driveway width of 6.45m and a side yard of 0.60m. A proposed flower bed separates the driveway from the walkway.

During the review, Zoning staff identified an amendment to accurately capture the driveway width variance. The amended driveway width is 7.06, but only for a very small portion by the north walkway. The drawings indicate the majority of the driveway is 6.45 m. The proposed driveway design includes a new flower bed. The flower bed should inhibit vehicles to park on the walkway, and should inhibit three vehicles from parking side by side. The variance for additional driveway width will not cause further impact to the streetscape. The drawings indicate restoration of the boulevard. In our opinion, the intent of the Zoning By-law is maintained.

Based on the preceding, the Planning and Building Department has no objection to the application, as amended, but the applicant may wish to defer the application in order to verify the accuracy of the requested variances"

City of Mississauga, Transportation and Works Department (February 16, 2017)

Further to our previous comments we are advising that we find the drawing (DWG A1-1B) recirculated by the Committee of Adjustment Office with the Revised Notice and Hearing Date acceptable. The Drawing depicts a flower bed to be installed within the widened driveway portion which would discourage parking in the widened driveway portion and the reinstatement of the northerly limits of the driveway to topsoil and sod which eliminates the variance to provide for a 0.00M setback from the driveway to the side lot line. The drawing also depicts the reinstatement of the "triangular" widened portion between the municipal sidewalk and curb to a grassed area.

Should Committee see merit in the applicant's request the "Triangular" widened portion on the southerly side and the 2.0' widened portion on the northerly side of the municipal boulevard area must be reinstated with topsoil and sod. From the drawing provided it appears that the applicant is proposing to keep one row of interlocking stone pavers on the outer limits of the triangular portion which we would also want removed from our municipal boulevard.

No other persons expressed any interest in the application.

The Secretary-Treasurer advised the Committee that the deferral fees incurred at the October 13, 2016; November 24, 2016; and February 9, 2017 hearings remained outstanding.

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

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

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

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

Accordingly, the Committee resolves to authorize and grant the amended request permit the existing driveway to remain providing a driveway width of 7.06 m (23.16ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.18m (20.27ft.) in this instance.

This decision is subject to the following conditions:

1. The applicant shall proceed in accordance with the site plan reviewed by the Committee.
2. The applicant shall submit the outstanding \$600 of deferral fees.

MOVED BY: J. Robinson SECONDED BY: J. Page CARRIED

Application Approved, as amended, on conditions as stated.

Dated at the City of Mississauga on March 2, 2017.

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 **MARCH 22, 2017**.

Date of mailing is March 6, 2017.


S. PATRIZIO (CHAIR)


D. GEORGE


J. ROBINSON


D. KENNEDY


J. PAGE


D. REYNOLDS


P. QUINN

I certify this to be a true copy of the Committee's decision given on March 2, 2017.


BRIAN BONNER
ACTING 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

PRASHANT SRIVASTAVA

on Thursday February 23, 2017

Prashant Srivastava is the owner of 5424 Coldspring Way being Part of Lot 24, Registered Plan M-1211, zoned RM2-3, Residential. The applicant requests the Committee to authorize a minor variance to permit the existing driveway to remain on the subject property having:

1. a maximum driveway width of 8.07m (26.47 ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.20m (17.06 ft.) in this instance; and,
2. a minimum front yard landscaped soft area of 10.00% of the lot area; whereas By-law 0225-2007, as amended, requires a minimum front yard landscaped soft area of 40.00% in this instance.

On November 17, 2016, Mr. P. Srivastava, the property owner, attended and requested that the application be deferred to allow him an opportunity to address the Planning and Building Department comments and concerns.

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

The City of Mississauga Planning and Building Department commented as follows (November 11, 2016):

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Central Erin Mills Neighbourhood
Designation: Medium Density

Zoning By-law 0225-2007

Zoning: RM2-3

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 requested driveway width creates excessive hard surface, minimal landscaping and space three vehicles to be parked side by side. The zoning by-law permits a driveway width



MISSISSAUGA

File: "A" 465/16
WARD 9

of 5.2m in this instance. The intent of the requirements in the zoning by-law is a driveway width 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 (November 10, 2016):

"This department is not supportive of the existing driveway as widened and would recommend that modifications be made to reduce the width. We are particularly concerned with the portion widened over the municipal boulevard area. From the enclosed photos it is evident that the driveway has been significantly widened with concrete in the area where there is no curb cut.

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 (November 11, 2016):

"We have no comments or objections."

An letter was received from L. Tran, a resident of 5412 Coldspring Way, expressing concerns with respect to expanded driveway not being in character with the neighbourhood and affecting the soft landscape area which is needed to absorb water from rain and snow.

A letter was received from M. Hardie and M. Tuthill, residents of 5425 Coldspring Way, expressing objection to the application. They advised that the driveway was modified and improvements to the home without approvals in place. They indicated that the soft landscape area is covered in concrete and congested with cars. They expressed their concerns that the traffic and congestions will have an adverse impact on them and the property value.

A letter was received from L. and K. Murphy, residents of 5430 Coldspring Way, expressing objection to the application and noting their concerns that the applicant failed to request permits and approvals from the City prior to having the work done. They indicated that the concrete covers the lot and trees were cut down and it appears that the concrete was also poured on the City property. They indicated that the changes will impact the property value and if the application is approved, other property owners may do the same and it will change the character of the neighbourhood.

A letter was received from E. Smiley, a resident of 5271 Bushelgrove Circle, expressed her concerns that the property owner went ahead without permits and disregarded the safety rules posing a threat to those living in the neighbourhood. She noted that the loss of green space is significant. She requested that the City uphold the By-laws.

A letter was received from V. and K. Savaglio, residents of 5426 Coldspring Way, expressing strong objection to the application and noting their concerns that the applicant failed to obtain permits prior to construction, no trees or grass on the property, property values will be reduced, and the increase in the paved area making the residential zone look more like a parking lot.

A letter was received from Q. Li, a resident of 5428 Coldspring Way, expressing concerns with the subject application.

A second letter was received from Q. Li, a resident of 5428 Coldspring Way, expressing no objection to the subject application.



MISSISSAUGA

File: "A" 465/16
WARD 9

A letter was received from Y. Tang, a resident of 5422 Coldspring Way, expressing no objection to the widening of the driveway.

A letter was received from T. Farooq, a resident of 5418 Coldspring Way, indicating no objection to the widening of the driveway.

No other persons expressed any interest in the application.

The Committee consented to the request and the application was deferred to January 12, 2017.

On January 12, 2017, a representative of the property owner attended and requested a deferral of the application. He noted that the property owner was out of the country and noted there might be additional information forthcoming.

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

The City of Mississauga, Planning and Building Department (January 6, 2017)

"Recommendation"

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

Background

Mississauga Official Plan

Character Area: Central Erin Mills Neighbourhood
Designation: Medium Density

Zoning By-law 0225-2007

Zoning: RM2-3

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 application was originally heard at the November 17, 2016 agenda. No new submissions have been received.

Previous comments:

The requested driveway width creates excessive hard surface, minimal landscaping, and space for three vehicles to be parked side by side. The Zoning By-law permits a driveway width of 5.2 m in this instance. The intent of the requirements in the Zoning By-law is a driveway width 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 (January 6, 2017)

"Please refer to our comments submitted for the November 17, 2016 hearing of this application as those comments are still applicable."

A letter was received from X. Hu, a resident of 5422 Coldspring Way, stating her objection to the subject application.

A letter was received from Y. H. Tang, a resident of 5422 Coldspring Way, stating his acceptance of the subject application.

A letter was received from L. & K. Murphy, residents of 5430 Coldspring Way, stating an objection to the subject application.

A letter was received from E. Smiley, a resident of 5271 Bushelgrove Circle, stating an objection to the subject application.

A letter was received from K. & V. Savaglio, residents of 5427 Coldspring Way, stating an objection to the subject application.

A letter was received from L. Tran, a resident of 5412 Coldspring Way, stating an objection to the subject application.

A letter was received from M. Hardie & M. Tuthill, residents of 5425 Coldspring Way, stating an objection to the subject application.

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the application to the February 23, 2017 hearing.

On February 23, 2017, Mr. P. Srivastava, the property owner, attended and presented the subject application to permit the existing oversized driveway to remain on the subject property. Mr. Srivastava indicated he wished to proceed with the application as initially submitted. He noted that property owners abutting the subject property had not expressed any concerns with the proposal.

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

City of Mississauga, Planning and Building Department (February 17, 2017)

"Recommendation"

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

Background

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-4 (Residential)

Other Applications:

Site Plan Approval Application File: SPI 16/151

Comments

Zoning

The Planning and Building Department is currently processing a Site Plan Approval application and based on the review of the information currently available, we recommend that the variances be amended as follows:

1. A lot coverage of 30.80% of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% of the lot area, in this instance.

Planning

The Planning and Building Department recommends that the applicant defer the application to redesign the dwelling. This Department will not support the requested increase in Gross

Floor Area (GFA) as currently presented in this application. The requested increase in GFA does not maintain the intent of the Zoning By-law and is not minor in nature. The context of the immediate surrounding area consists of predominantly bungalows, with the occasional one and a half storey or two storey dwelling, which have modest footprints on the lots. The proposed dwelling is not consistent with the character of the neighbourhood.

Based on the preceding information, the Planning and Building Department recommend that the application be deferred.

City of Mississauga, Transportation and Works Department (February 16, 2017)

"Please refer to our comments submitted for the November 17, 2016 hearing of this application as those comments are still applicable."

A letter was received from L. Tran, a resident of 5412 Coldspring Way, stating an objection to the subject application.

A letter was received from K. & V. Savaglio, residents of 5427 Coldspring Way, stating an objection to the subject application.

A letter was received from M. Wong, a resident of 5390 Bushelgrove Circle, suggesting that he would be satisfied with 20% of the front yard to be maintained as landscaping.

A letter was received from A. Antony, a resident of 5406 Coldspring Way, expressing an objection to the application.

Mr. M. Hardie, a resident of 5425 Coldspring Way, attended and expressed his objection to the subject application. He expressed his concerns with the reduction of landscaping on the property and that the driveway did not reflect the site plan that was presented.

No other person expressed any interest in the subject application.

The Committee confirmed that it had received comments from staff and residents outlining several concerns with the proposal. The Committee asked Mr. Srivastava if he had met with Planning staff in attempt to improve the application.

Mr. Srivastava confirmed that he had not met with Planning staff. Mr. Srivastava suggested that the existing driveway was in character with other large driveways in the area and confirmed he wished for the Committee to proceed evaluating the merits of the application for the driveway as it existed.

The Committee after considering the submissions put forward by Mr. P. Srivastava and 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 indicated that the proposed driveway width was substantially in excess of the Zoning By-law and covered almost the entire expanse of the front yard. They noted concerns with the aesthetics, water management and the inappropriate widening of the municipal boulevard. The Committee did not accept Mr. Srivastava's suggestion that oversized driveways beyond the provisions of the Zoning By-law comprised the character of the area:

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.



MISSISSAUGA

File: "A" 465/16
WARD 9

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

MOVED BY: J. Page SECONDED BY: J. Robinson CARRIED

Application Refused.

Dated at the City of Mississauga on March 2, 2017.

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 **MARCH 22, 2017**.

Date of mailing is March 6, 2017.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on March 2, 2017.

BRIAN BONNER
ACTING 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

PATTY SOOKHAI

on Thursday February 23, 2017

Patty Sookhai is the owner of 4820 Lighthouse Court being Lot 127, Registered Plan M-1693, zoned R4, Residential. The applicant requests the Committee to authorize a minor variance to permit the existing driveway and walkway to remain on the subject property proposing:

1. a driveway width of 6.10m (20.01ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (19.68ft.) in this instance; and,
2. a walkway attachment width of 2.00m (6.56ft.) to the driveway; whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (4.95ft.) in this instance.

On December 8, 2016, Ms. P. Sookhai, the property owner, attended and presented the application to permit the existing driveway to remain on the subject application.

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

The City of Mississauga Planning and Building Department (December 2, 2016):

"Recommendation"

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

Background

Mississauga Official Plan

Character Area: Hurontario Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4

Comments

Zoning

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

Planning

The subject site is located in the Hurontario Neighbourhood near Confederation Parkway and Eglinton Avenue West. The subject lot is pie shaped and located on a court.

The requested driveway width and configuration creates excessive hard surface and no soft landscaping. The intent of the requirements in the zoning by-law is a driveway width



MISSISSAUGA

File: "A" 487/16
WARD 4

limited to provide for two vehicles to be parked side by side, and the remainder is intended to be soft landscaping.

A 6 m driveway and the associated garage would provide parking spaces for four vehicles. The zoning by-law requires two parking spaces for a detached dwelling. The proposed driveway width would provide an excessive amount of parking spaces.

Based on the preceding, the Planning and Building Department recommends the application be refused."

The City of Mississauga Transportation and Works Department (November 29, 2016):

"Enclosed for Committee's easy reference are some photos which depict the existing driveway."

No other persons expressed any interest in the application.

The Committee indicated that the application had attracted substantial negative review from the Planning and Building and Transportation and Works Departments. They indicated that it would be beneficial to defer the application to allow for her to meet with staff in efforts to resolve their concerns.

Ms. Sookhai concurred with the Committee and requested a deferral of the application.

The Committee consented to the request and deferred the application to February 23, 2017.

On February 23, 2017, Ms. P. Sookhai, the property owner, attended and presented the revised application. Ms. Sookhai advised the Committee that the oversized driveway tapered towards the street and that the walkway that abutted the driveway adjacent to the dwelling would not be used for parking purposes.

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

City of Mississauga, Planning and Building Department (February 17, 2017)

"Recommendation

The Planning and Building Department has no objection in principle to the variances requested, however the applicant may wish to defer the application in order to submit revised drawings.

Background

Mississauga Official Plan

Character Area: Hurontario Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4

Comments

Zoning

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

Planning

Following the deferral of the application in December 2016, the applicant met with staff and revised the application.



MISSISSAUGA

File: "A" 487/16
WARD 4

Originally the application requested a driveway width of 11.08 m, soft area landscape of 30.70%, and a setback of 0.33 m.

The revised application requests a driveway width of 6.10 m, a walkway attachment of 2.00 m, and no longer requests soft area landscape or setback variances.

The subject site is located in the Hurontario Neighbourhood near Confederation Parkway and Eglinton Avenue West. The subject lot is pie shaped and located on a court.

A pie shaped lot creates challenges when siting a driveway. In this instance, the application requests a modest increase of 0.10m to the driveway width. Similarly, the application requests a small increase to the maximum walkway attachment. In principle, the increases are minor and do not impact the streetscape, and should not allow for three vehicles to be parked side by side. However, based on the drawing submitted, staff is unable to determine if the variances are requested correctly. It appears a maximum walkway attachment greater than the 2.0 m requested is shown on the drawings. Staff would not support a walkway attachment greater than 2.0 m.

We further note that crushed stone is not considered as soft area landscape.

The Planning and Building Department has no objection in principle to the variances requested, however the applicant may wish to defer the application in order to submit revised drawings."

City of Mississauga, Transportation and Works Department (February 16, 2017)

"Please refer to our comments submitted for the December 8, 2016 hearing as those comments are still applicable."

No other persons expressed any interest in the application.

The Committee asked Ms. Sookhai to confirm the accuracy of the subject application.

Ms. Sookhai confirmed the accuracy of the subject application and requested the Committee to proceed with evaluating the merits of the application.

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

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

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



MISSISSAUGA

File: "A" 487/16
WARD 4

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

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

Application Approved.

Dated at the City of Mississauga on March 2, 2017.

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 **MARCH 22, 2017**.

Date of mailing is March 6, 2017.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on March 2, 2017.

BRIAN BONNER
ACTING 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

PATTY SOOKHAI

on Thursday February 23, 2017

Patty Sookhai is the owner of 4768 Lighthouse Court being Lot 114, Registered Plan M-1693, zoned R4, Residential. The applicant requests the Committee to authorize a minor variance to permit the existing driveway and walkway to remain on the subject property proposing:

1. a driveway width of 7.30m (23.95ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (19.68ft.) in this instance;
2. a setback of 0.20m (0.65ft.) from the driveway to the side property line; whereas By-law 0225-2007, as amended, requires a minimum setback of 0.60m (2.00ft.) from the driveway to the side property line in this instance; and,
3. a walkway attachment width of 2.00m (6.56ft.) to the driveway; whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (4.95ft.) in this instance.

On December 8, 2016, Ms. P. Sookhai, the property owner, attended and presented the application to permit the existing driveway to remain on the subject application.

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

The City of Mississauga Planning and Building Department (December 2, 2016):

"Recommendation"

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

Background

Mississauga Official Plan

Character Area: Hurontario Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4

Other Applications:

Comments

Zoning

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



MISSISSAUGA

File: "A" 488/16
WARD 4

Planning

The subject site is located in the Hurontario Neighbourhood near Confederation Parkway and Eglinton Avenue West. The subject lot is a corner property.

The requested driveway width and configuration creates excessive hard surface and limited soft landscaping. The intent of the requirements in the zoning by-law is a driveway width limited to provide for two vehicles to be parked side by side, and the remainder is intended to be soft landscaping.

A 6 m driveway and the associated garage would provide parking spaces for four vehicles. The zoning by-law requires two parking spaces for a detached dwelling, and one space for a second unit. The proposed driveway width would provide an excessive amount of parking spaces.

Based on the preceding, the Planning and Building Department recommends the application be refused."

The City of Mississauga Transportation and Works Department (November 29, 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 we would request that this area be reinstated 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 0.20M (00.65ft) from the driveway to the side property line as we feel the minimum 0.6M required setback could be achieved in this instance."

No other persons expressed any interest in the application.

The Committee indicated that the application had attracted substantial negative review from the Planning and Building and Transportation and Works Departments. They indicated that it would be beneficial to defer the application to allow for her to meet with staff in efforts to resolve their concerns.

Ms. Sookhai concurred with the Committee and requested a deferral of the application.

The Committee consented to the request and deferred the application to February 23, 2017.

On February 23, 2017, Ms. P. Sookhai, the property owner, attended and presented the revised application. Ms. Sookhai advised the Committee that a portion of the driveway would be removed and replaced with a raised planter box.

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

City of Mississauga, Planning and Building Department (February 17, 2017)

"Recommendation

The Planning and Building Department has no objection in principle to the variances requested, however the applicant may wish to defer the application in order to submit revised drawings.

Background

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4

Comments

Zoning

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

Planning

Following the deferral of the application in December 2016, the applicant met with staff and revised the application.

Originally the application requested a driveway width of 12.10 m and a setback of 0.20 m.

The revised application requests a driveway width of 7.30 m, a setback of 0.20 m, and a walkway attachment of 2.00 m.

The subject site is located in the Hurontario Neighbourhood near Confederation Parkway and Eglinton Avenue West. The subject lot is a corner lot. The application indicates that the subject lot is 14.71 m in frontage.

The application proposes removal of a portion of the hard surface and the installation of a large raised flower bed. The flower bed is proposed to be 1 m by 3 m, and a height of 0.60 m. The location of the flower bed should inhibit vehicles from parking on the walkway. In principle, the increases are minor and proportionate to the lot, however, based on the drawing submitted, staff is unable to verify the dimensions or determine if the variances are requested correctly. Staff would not support a driveway or walkway any greater than what is requested.

The Planning and Building Department has no objection in principle to the variances requested, however the applicant may wish to defer the application in order to submit revised drawings."

City of Mississauga, Transportation and Works Department (February 16, 2017)

"Further to our previous comments we are advising that City staff have met with the applicant to advise what modifications would be required to the existing driveway in order that we could support the request. The owner has provided a revised driveway plan to the Committee of Adjustment Office stamped February 9, 2017 which has been recirculated along with a revised Notice of Public Hearing on February 10, 2017.

The revised drawing depicts a raised flower bed approximately 3.0M by 1.0M to be installed within the widened driveway portion which would discourage three vehicles from being parked side by side on the driveway. The drawing also indicates in the area of the municipal boulevard that the existing concrete will be removed. Acknowledging that there are no dimensions shown in the area where the existing concrete will be removed, this department would have no objections to the revised drawing provided that the excess concrete in front of the proposed raised flower bed in the area of the municipal boulevard be removed."

No other persons expressed any interest in the application.

The Committee asked Ms. Sookhai to confirm the accuracy of the subject application.



MISSISSAUGA

File: "A" 488/16
WARD 4

Ms. Sookhai confirmed the accuracy of the subject application and requested the Committee to proceed with evaluating the merits of the application.

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

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

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

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

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


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

Application Approved on condition as stated.

Dated at the City of Mississauga on March 2, 2017.


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 **MARCH 22, 2017**.


Date of mailing is March 6, 2017.

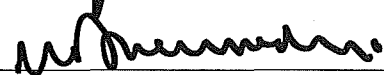

S. PATRIZIO (CHAIR)

ABSENT
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 March 2, 2017.


BRIAN BONNER
ACTING 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

PATTY SOOKHAI

on Thursday February 23, 2017

Patty Sookhai is the owner of 4281 Guildwood Way being Lot 145, Registered Plan M-1693, zoned R5-41, Residential. The applicant requests the Committee to authorize a minor variance to permit the existing driveway and walkway to remain on the subject property proposing:

1. a driveway width of 7.00m (22.96ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (19.68ft.) in this instance;
2. a setback of 0.30m (0.98ft.) from the driveway to the southerly side lot line; whereas By-law 0225-2007, as amended, requires a minimum setback of 0.60m (2.00ft.) from the driveway to the southerly side lot line in this instance;
3. a walkway attachment width of 2.00m (6.56ft.) to the driveway; whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (4.95ft.) in this instance; and,
4. a landscaped soft area of 24.00% of the front yard containing the driveway; whereas By-law 0225-2007, as amended, requires a minimum landscaped soft area of 30.00% of the front yard containing the driveway in this instance.

On December 8, 2016, Ms. P. Sookhai, the property owner, attended and presented the application to permit the existing driveway to remain on the subject application.

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

The City of Mississauga Planning and Building Department (December 2, 2016):

"Recommendation"

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

Background

Mississauga Official Plan

Character Area: Hurontario Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R5-41

Other Applications:

Comments

Zoning

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

Planning

The subject site is located in the Hurontario Neighbourhood near Confederation Parkway and Eglinton Avenue West.

The requested driveway width and configuration creates excessive hard surface and limited soft landscaping. The intent of the requirements in the zoning by-law is a driveway width limited to provide for two vehicles to be parked side by side, and the remainder is intended to be soft landscaping.

A 6 m driveway and the associated garage would provide parking spaces for four vehicles. The zoning by-law requires two parking spaces for a detached dwelling, and one space for a second unit. The proposed driveway width would provide an excessive amount of parking spaces.

Based on the preceding, the Planning and Building Department recommends the application be refused."

The City of Mississauga Transportation and Works Department (November 29, 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 reinstated 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 0.20M (00.65ft) from the driveway to the side property line as we feel the minimum 0.6M required setback could be achieved in this instance."

No other persons expressed any interest in the application.

The Committee indicated that the application had attracted substantial negative review from the Planning and Building and Transportation and Works Departments. They indicated that it would be beneficial to defer the application to allow for her to meet with staff in efforts to resolve their concerns.

Ms. Sookhai concurred with the Committee and requested a deferral of the application.

The Committee consented to the request and deferred the application to February 23, 2017.

On February 23, 2017, Ms. P. Sookhai, the property owner, attended and presented the revised application. Ms. Sookhai advised that she had met with Planning staff during the interim of the deferral and agreed to reduce the driveway width.

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



MISSISSAUGA

File: "A" 489/16
WARD 4

City of Mississauga, Planning and Building Department (February 17, 2017)

"Recommendation"

The Planning and Building Department has no objection in principle to the variances requested, however the applicant may wish to defer the application in order to submit revised drawings.

Background

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R5-41

Comments

Zoning

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

Planning

Following the deferral of the application in December 2016, the applicant met with staff and revised the application.

Originally the application requested a driveway width of 9.49 m, a landscaped soft area of 15%, and a setback of 0.20 m.

The revised application requests a driveway width of 7.00 m, a landscaped soft area of 24%, a setback of 0.20 m, and a walkway attachment of 2.00 m.

The subject site is located in the Hurontario Neighbourhood near Confederation Parkway and Eglinton Avenue West. The subject lot is an interior lot.

The application proposes removal of a portion of the hard surface, including a portion on the boulevard. The original application drawings indicated that the width of the northerly concrete driveway widening was 2.13 m. The revised drawings show a width of the northerly concrete widening is 1.00 m. The portion to be removed from the driveway is not indicated on the drawing.

A driveway width of 7.00 m is a minor increase to the permitted 6.00 m, and should not provide for three parking spaces side by side. A walkway attachment of 2.00 m is a minor increase to the permitted 1.50 m, and should not provide a space for parked vehicle. The revised application restores a portion of soft area landscaping to the front yard. In principle, the increases are minor, however, based on the drawing submitted, staff is unable to verify the dimensions or determine if the variances are requested correctly. Staff would not support a driveway or walkway any greater than what is requested.

The Planning and Building Department has no objection in principle to the variances requested, however the applicant may wish to defer the application in order to submit revised drawings."

City of Mississauga, Transportation and Works Department (February 16, 2017)

"Further to our previous comments we are advising that city staff have met with the applicant to advise what modifications would be required to the existing driveway in order that we could support the request. The owner has provided a revised driveway plan to the Committee of Adjustment Office and stamped February 9, 2017 which has been recirculated along with a revised Notice of Public Hearing on February 10, 2017.



MISSISSAUGA

File: "A" 489/16
WARD 4

This department has no objections to the revised drawing which depicts the northerly portion of the driveway to be reinstated with topsoil and sod leaving a 1.0M walkway area beside the existing driveway. The drawing also indicates the concrete area between the municipal sidewalk and curb to be removed and this area should also be reinstated with topsoil and sod. In view of the above we have no objections to the amended application and revised drawing submitted."

Ms. K. Ericson, a resident of 4285 Guildwood Way, attended and expressed concerns with the proposal.

No other persons expressed any interest in the application.

The Committee asked Ms. Sookhai to confirm the accuracy of the subject application.

Ms. Sookhai confirmed the accuracy of the subject application and requested the Committee to proceed with evaluating the merits of the application.

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

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

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



MISSISSAUGA

File: "A" 489/16

WARD 4

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

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

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

Application Approved on condition as stated.

Dated at the City of Mississauga on March 2, 2017.

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 **MARCH 22, 2017**.

Date of mailing is March 6, 2017.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on March 2, 2017.

BRIAN BONNER
ACTING 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

UMAIR MANZOOR

on Thursday February 23, 2017

Umais Manzoor is the owner of 1 Brookside Drive being Lot 1, Registered Plan 346, zoned R2-50, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new detached dwelling on the subject property proposing an exterior side yard of 4.38m (14.37ft.); whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (24.60 ft.) in this instance.

On December 15, 2016, Mr. M. Ahmed, a representative of the property owner, attended the hearing.

Mr. Kovalou, authorized agent, attended and presented the subject application to construct a new two storey dwelling on the subject property. Mr. Kovalou explained that the subject property was a corner lot and that compliance with the Zoning By-law for exterior side yard would result in an inappropriate sized building envelope. He noted that the new dwelling would maintain the same side yard setback of the existing dwelling.

Mr. Kovalou noted that the dwelling would be slightly larger than what was permitted pursuant to the Zoning By-law. He explained that the subject property was smaller than the other properties in the surrounding area and suggested that the proposed dwelling would maintain the character of the existing housing stock within the neighbourhood.

Mr. Kovalou suggested that the dwelling may be redesigned after the completion of the Minor Variance process to comply with any requirements for the dwelling setback to the centreline of Britannia Road West.

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

The City of Mississauga Planning and Building Department (December 9, 2016):

"Recommendation"

The Planning and Building Department recommends that the application be deferred for the dwelling to be redesigned.

Background

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-50

Comments

Zoning

We note that a building permit application is required. In the absence of a building permit application we are unable to confirm the accuracy of the requested variances.

An additional variance for minimum centreline setback of 20 m may be needed, however insufficient information is available to determine compliance.

Planning

The subject property is located in the Streetsville Neighbourhood, at Britannia Road West and the Canadian Pacific Railway west of Queen Street South. Brookside Court is a small street developed in the 1950s with 12 residential lots and a large lot for a public school. The subject lot is a corner with frontage on Brookside Court and flankage on Britannia Road West.

The application proposes a new infill house and requests a reduced exterior side yard and additional gross floor area. Zoning has identified another variance, but additional information is necessary to accurately request the variance.

Variance #1 is for a reduced exterior side yard. The subject lot is narrower than the requirements of the zoning by-law in this instance. The lot is 15.09 m (49.51 ft.) whereas the by-law requires 21 m (68.90 ft.). A corner lot is designed to be larger than the interior lots, however in this case, the subject lot is the smallest lot on Brookside Drive, and one of the smallest within the larger area. The requirements of the minimum exterior side yard of 7.50 m (24.60 ft.) would be impractical development of the subject lot. Britannia Road West has inconsistent streetscape and varied setbacks. In our opinion, variance #1 is considered minor.

Variance #2 is for additional gross floor area (GFA). As stated above, the lot is one of the smallest in the subject area. The dwellings on Brookside Drive are primarily modest one and one and a half story dwellings. Many have had additions and alterations since their original development. One new built infill house was constructed on Brookside Drive prior to the imposition of the Streetsville Infill Housing R2-50 zone. No variances for additional GFA have been requested on Brookside Drive. The proposed dwelling design and massing include open to above areas which further exacerbate the impact of additional GFA. In our opinion, the intent of the Zoning By-law is not maintained, and the variance is not considered minor.

Based on the preceding, the Planning and Building Department recommends that the application be deferred for the dwelling to be redesigned."

The City of Mississauga Transportation and Works Department (December 8, 2016):

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

The Region of Peel, Environment, Transportation and Planning Services (December 13, 2016):

"As per Region of Peel Water design standard 4.3, Hydrants near driveways shall be located a minimum of 1.25 m clear from the projected garage (or edge of driveway, whichever is greater) in residential applications.

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."



MISSISSAUGA

File: "A" 496/16
WARD 11

A letter was received from A. & A. Jones, residents of 10 Brookside Drive, stating an objection to the subject application.

No other persons expressed any interest in the application.

The Committee indicated it had concerns with the proposed size of the dwelling in relation to the size of the subject property. The also expressed concerns that that the dwelling could not be sufficiently designed to comply with the requirement for the centreline setback after the completion of the Minor Variance process.

Mr. M. Ahmed requested a deferral of the application to allow sufficient time to resolve the outstanding concerns identified by the Committee and Planning staff.

The Committee consented to the request and deferred the application to the February 23, 2017 hearing.

On February 23, 2017, Mr. W. Kovalou, the authorized agent, attended and presented the revised proposal. Mr. Kovalou advised the Committee that variances for the gross floor area and centreline setback to the road had been eliminated. He explained that the dwelling would be further recessed from the exterior side yard lot line than the existing dwelling that would be demolished but would still require relief to the Zoning By-law.

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

City of Mississauga, Planning and Building Department (February 22, 2017)

"Recommendation"

The Planning and Building has no objection to the application, but the applicant may wish to defer the application in order to apply for a building permit application to verify the accuracy of the requested variances.

Background Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007
Zoning: R2-50

Comments

Zoning

We note that a building permit application is required. In the absence of a building permit application we are unable to confirm the accuracy of the requested variance or determine if additional variances are required.

An additional variance for minimum centreline setback of 20 m + exterior side yard may be needed, however insufficient information is available to determine compliance.

Planning

Following the deferral of the application in December 2016, the applicant has revised the application.

Previously the application requested an exterior side 3.30 m, and a gross floor area of 371.00m². The revised application requests an exterior side yard of 4.38 m, and no longer requests a variance for gross floor area.

A building permit or a pre application review is required by Zoning in order to ensure no other variances are required, however Planning Staff recommends the following additional variance:

A centreline setback of 20.08 m (65.89 ft.) to Britannia Road West; whereas By-law 0225-2007, as amended, requires a centreline setback of 27.50 m (90.22 ft.) in this instance.

The subject property is located in the Streetsville Neighbourhood, at Britannia Road West and the Canadian Pacific Railway west of Queen Street South. Brookside Court is a small street developed in the 1950s with 12 residential lots and large lot for a public school. The subject lot is a corner with frontage on Brookside Court and flankage on Britannia Road West.

The requested variance for exterior side yard and the proposed variance for centreline setback represent the same building envelope.

The subject lot is narrower than the requirements of the Zoning By-law in this instance. The lot is 15.09 m (49.51 ft.) whereas the By-law requires 21 m (68.90 ft.). The subject lot is the smallest lot on Brookside Drive. The requirements of the minimum exterior side yard and centreline setback would be impractical development of the subject lot. The application improves the existing condition, by proposing an increased exterior side yard than the existing dwelling. Britannia Road West has an inconsistent streetscape and varied setbacks. In our opinion, the variances are considered minor.

This section of Britannia Road is within the jurisdiction of the Region of Peel. With respect to the centreline setback variance, City staff has sought confirmation from the Region that the proposed reduction will not interfere with future road requirements. As the Region's comments do not indicate any objection to the application, we trust that adequate space is available for Regional needs.

Based on the preceding, the Planning and Building has no objection to the application, but the applicant may wish to defer the application in order to apply for a building permit application to verify the accuracy of the requested variances."

City of Mississauga, Transportation and Works Department (February 16, 2017)

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

Region of Peel, Environment, Transportation and Planning Services (February 17, 2017)

"As per Region of Peel Water design standard 4.3, Hydrants near driveways shall be located a minimum of 1.25 m clear from the projected garage (or edge of driveway, whichever is greater) in residential applications. 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."

No other persons expressed any interest in the application.

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

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

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



MISSISSAUGA

File: "A" 496/16

WARD 11

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

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

1. an exterior side yard of 4.38m (14.37ft.); whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (24.60 ft.) in this instance.
2. a centreline setback of 20.08 m (65.89 ft.) to Britannia Road West; whereas By-law 0225-2007, as amended, requires a centreline setback of 27.50 m (90.22 ft.) in this instance.

MOVED BY: J. Robinson SECONDED BY: J. Page CARRIED

Application Approved, as amended.

Dated at the City of Mississauga on March 2, 2017.

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 **MARCH 22, 2017**.

Date of mailing is March 6, 2017.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on March 2, 2017.

BRIAN BONNER
ACTING 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.