

**COMMITTEE OF ADJUSTMENT
RESULTS**



Location: COUNCIL CHAMBER
Hearing: April 13, 2017 AT 1:30 P.M.

| File | Name of Applicant | Location of Land | Ward | Decision |
|--|---|----------------------------------|------|----------|
| <u>NEW APPLICATIONS - (CONSENT)</u> | | | | |
| B-026/17 | ARMDALE ESTATES INC. | 3600-3606 HURONTARIO ST | 7 | Approved |
| B-027/17 | TOUCHTONE CONSTRUCTION LTD & 1077022 ONTARIO INC | 0 ENFIELD PL | 7 | Approved |
| <u>NEW APPLICATIONS - (MINOR VARIANCE)</u> | | | | |
| A-152/17 | ANDREAS & PIERRETTE KIEDROWSKI | 44 RIVER RD | 11 | Approved |
| A-153/17 | TILLAKENDRA & CHITRA ATHERAY | 7178 LOWVILLE HTS | 10 | Approved |
| A-154/17 | ZOFIA ALEKSIEJUK | 1456 APPLEWOOD RD | 1 | May. 18 |
| A-155/17 | SURANJAN, SUSHIL & PAPIA GUPTA | 1080 EDGELEIGH AVE | 1 | Approved |
| A-156/17 | TOMASZ DUDEK | 532 GLADWYNE CRT | 2 | Approved |
| A-157/17 | 1306283 ONTARIO INC | 2515 HURONTARIO ST | 7 | Approved |
| A-158/17 | ROSA MARIA CARVALHO | 3434 JOAN DR | 7 | Approved |
| A-159/17 | PHYLLIS KENNEDY | 6770 GRACEFIELD DR | 10 | Approved |
| A-160/17 | BELCOSI 2280 DIXIE CORP | 2280, 2290, 2292 & 2300 DIXIE RD | 1 | Approved |
| A-161/17 | JOHN & MADALYN BOYLE | 130 HARBORN RD | 7 | Approved |
| <u>DEFERRED APPLICATIONS - (MINOR VARIANCE)</u> | | | | |
| A-401/16 | THINNOX HOLDING CORPORATION | 755 LAKESHORE RD E | 1 | Approved |
| A-018/17 | TOR CAN HOLDING INC | 6465 DANVILLE RD | 5 | June. 22 |
| A-073/17 | NELSON GONZALEZ | 2006 PORTWAY AVE | 8 | Approved |
| A-077/17 | XUE XIA WONG | 77 VISTA DR | 11 | Approved |
| A-112/17 | PFS GTA INDUSTRIAL INC | 6789 AIRPORT RD | 5 | Approved |



File: "B" 26/17
WARD 7

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

ARMDALE ESTATES INC

on Thursday April 13, 2017

Armdale Estates Inc. is the owner of 3600 - 3606 Hurontario Street being Part of Lot 16, Concession 1, N.D.S., zoned H-CC2(2), City Centre. The applicant requests the consent of the Committee to the conveyance of a parcel of land having a frontage of approximately 22.82m (74.86ft.) and an area of approximately 1,101.50m² (11,856.83sq.ft.) for the purposes of a lot addition. The intent of the application is for the lands to be conveyed to the adjacent property to the north known as 0 Enfield Place and for the creation of easements for maintenance and access purposes.

Mr. J. Lethbridge, the authorized agent, attended and presented the application to convey a portion of the rear yard of the property to the abutting property which is subject to a related consent under File B027/17. He indicated that the exact same applications had previously come before the Committee lapsed as the conditions of provisional consent lapsed.

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 (April 7, 2017)

City of Mississauga, Transportation and Works Department (April 6, 2017)

Region of Peel (April 7, 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. J. Lethbridge consented to the imposition of the proposed conditions.

The Committee, after considering the submissions put forward by Mr. J. Lethbridge, 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 additional 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 resultant lands 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 letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 6, 2017.
5. 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 "severed" land and the abutting land being "retained" land under Consent Application B027/17 shall be "merged" for Planning Act purposes [see subsections 50(3) and/or 50(5)].
6. 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).
7. 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.
8. The Secretary-Treasurer's Certificates under the *Planning Act* shall be issued, simultaneously, with respect to the "severed" land of applications "B"26/17 and "B"27/17.

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


APPLICATION APPROVED ON CONDITIONS AS STATED

Dated at the City of Mississauga on April 20, 2017.

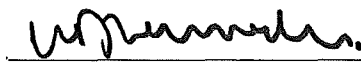
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **MAY 14, 2017**.

Date of mailing is April 24, 2017.


S. PATRIZIO (CHAIR)



D. GEORGE

ABSENT
J. ROBINSON


D. KENNEDY


J. PAGE


D. REYNOLDS


P. QUINN

I certify this to be a true copy of the Committee's decision given on April 20, 2017.


SEAN KENNEY - 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 **April 24, 2018**.

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



File: "B" 27/17
WARD 7

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

TOUCHTONE CONSTRUCTION LTD & 1077022 ONTARIO INC

on Thursday April 13, 2017

Touchtone Construction Ltd & 107022 Ontario Inc. are the owners of 0 Enfield Place being part of Block 22, Registered Plan M-492, zoned H-CC2(2) – City Centre. The applicant requests the consent of the Committee to the conveyance of a parcel of land having a frontage of approximately 32.96m (108.13ft.) and an area of approximately 2,895.58m² (31,168.78sq.ft.) for the purposes of a lot addition. The intent of the application is for the lands to be conveyed to the adjacent property known as of 3600 - 3606 Hurontario Street and for the creation of easements for maintenance and access purposes.

Mr. J. Lethbridge, the authorized agent, attended and presented the application to convey a portion of the rear yard of the property to the abutting property which is subject to a related consent under File B027/17. He indicated that the exact same applications had previously come before the Committee lapsed as the conditions of provisional consent lapsed.

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 (April 7, 2017)

City of Mississauga, Transportation and Works Department (April 6, 2017)

Region of Peel (April 7, 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. J. Lethbridge consented to the imposition of the proposed conditions.

The Committee, after considering the submissions put forward by Mr. J. Lethbridge, 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.
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3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the resultant 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.
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6. 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).
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8. The Secretary-Treasurer's Certificates under the *Planning Act* shall be issued, simultaneously, with respect to the "severed" land of applications "B"26/17 and "B"27/17.

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

APPLICATION APPROVED ON CONDITIONS AS STATED


Dated at the City of Mississauga on April 20, 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 **MAY 14, 2017**.

Date of mailing is April 24, 2017.

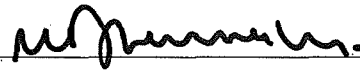


S. PATRIZIO (CHAIR)



D. GEORGE


ABSENT
J. ROBINSON




D. KENNEDY



J. PAGE



D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on April 20, 2017.



SEAN KENNEY - 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 **April 24, 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

ANDREAS & PIERRETTE KIEDROWSKI

on Thursday April 13, 2017

Andreas & Pierrette Kiedrowski are the owners of 44 River Road being Lot 58, Registered Plan 483, zoned R3-69 - Residential. The applicants request the Committee to authorize a minor variance to permit the construction of a two storey dwelling and an attached garage on the subject property proposing:

1. a lot coverage of 43.80% 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. a porch encroachment inclusive of stairs of 2.19m (7.19ft.); whereas By-law 0225-2007, as amended, permits a maximum porch encroachment of 1.60m (5.25ft.) into the front yard in this instance;
3. an eaves encroachment of 0.61m (2.00ft.) into the front yard; whereas By-law 0225-2007, as amended, permits a maximum eaves encroachment of 0.45m (1.48ft.) into the front yard in this instance;
4. a height of 6.71m (22.01ft.) measured to the eaves; whereas By-law 0-225-2007, as amended, permits a maximum eaves height of 6.00m (19.69ft.) in this instance;
5. a height of 9.73m (31.92ft.) measured to the highest ridge of the roof; whereas By-law 0225-2007, as amended, permits a maximum height of 9.00m (29.53ft.) measured to the highest ridge of the roof in this instance, and;
6. a driveway width of 6.34m (20.80ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (19.69ft.) in this instance.

Mr. D Sanger- Smith authorized agent, attended and presented the application to construct an attached garage and an addition to the existing dwelling. Mr. Sanger-Smith expressed that the need for a lot coverage variance was related to the size of the garage and addition. He noted that currently the existing dwelling's lot coverage was 2% over the maximum permitted standard and encroached into the front yard by a few feet.

Mr. Sanger-Smith provided the Committee with a petition letter of support signed by adjacent owners to the subject property.

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

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

"Recommendation

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

Background



MISSISSAUGA

File: "A" 152/17
WARD 11

Mississauga Official Plan

Character Area: Streestville Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-69 (Residential)

Other applications:

Pre Zoning Application: 16-3876

Comments

Zoning

The Building Department is currently processing a pre-zoning application under file 16-3876. Based on review of the information currently available for this application, we advise that the following variance should be amended as follows:

4. a height of 6.71 m (22.01 ft.) measured to the eaves; whereas By-law 225-2007, as amended, permits a maximum eaves height of 6.4 m (20.99 ft) in this instance;

We further note that based on review of the information currently available for this application, variances #1, 2, 3 and 5 as requested are correct.

Planning

The subject site is located in the Streetsville Neighbourhood, near the intersection of Britannia Road West and Queen Street South. The subject property has an existing one and a half storey dwelling and detached garage. The application proposes front, rear, side, and second floor additions to the existing dwelling, and relocating and expanding the attached garage.

The application requests variances for lot coverage, porch and eaves encroachment, height and driveway width. The application does not require a variance for Gross Floor Area.

Variance #1 is for lot coverage of 43.80%. The existing dwelling and proposed additions represent 22.49% of the lot coverage. The detached garage represents 10% of the lot coverage. The remaining 11.31% lot coverage is for front porch, rear deck, and roof overhang from eaves. The porch, deck, and eaves do not contribute to massing in this instance. The roof structure is traditionally sloped, without any flat or mansard portions. Detached garages and accessory structures in the rear yard are prevalent in the area. The streetscape is varied; the north side of River Road is R3-36 Zoning, and the south side of River Road is R2-50. In our opinion, based on the context of the area, the general intent of the Zoning By-law is maintained, and the variance is considered minor.

Variance #2 is for porch encroachment. The proposed porch encroachment is an addition on to the existing dwelling. The porch is for a very small segment of the façade, and is located in the centre of the dwelling. The porch contributes to breaking down the massing, and creating an appropriate transition from the dwelling to the street. In our opinion, variance #2 maintains the general intent of the Zoning By-law and is considered minor in nature.

Variances #3-5 are for eaves encroachment, eaves height and overall height. The proposed dwelling additions and alterations utilize the existing dwelling, including the existing foundation. The requested eaves encroachment is only for portions of the dwelling, and not for the sides of the dwelling. The roof massing is traditionally sloped. The highest ridge of the roof is within the centre of the dwelling. The second storey front elevation is broken into smaller masses. The roof at the front of the dwelling is below the maximum height. The rear of the house is one storey. The drawings indicate a basement ceiling height of 2.16 m (7 ft.) and 2.74 m (9 ft.) on the main and second floor. In our opinion, the requested variances generally maintain the Zoning By-law, and are considered minor in nature.

Variance #6 is for a driveway width. From the street, the existing driveway will remain. In the rear, in front of the detached garage, a new driveway expansion is proposed. The proposed dwelling addition will partially reduce the existing driveway width, and shield the rear garage. In our opinion, the requested variance will not cause further impact from the streetscape, and the proposed width maintains the general intent of the Zoning By-law, and is considered minor in nature.

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

City of Mississauga, Transportation and Works Department (April 6 2017)

"This department has no objections to the applicant's request to permit the construction of a two storey dwelling and the detached garage in the rear yard. The applicant has submitted a detailed drawing (Site Plan Drawing No. A0) for our review which contains information with respect to the existing and proposed grades in the area of the proposed detached garage. From our site inspection and our review of the Site Plan Drawing submitted we note that the existing and proposed grades in the rear of the property are at a slightly lower elevation and drainage from the rear yard cannot be directed towards River Road. Acknowledging that this proposal will be reviewed by our Development Construction Section as part of the Building Permit Process, the applicant should be advised that at the time of detailed grading review minor modifications may be required to ensure that the proposal will not adversely have any drainage related impacts on the abutting properties.

We are also noting for Committee's information that we have had a number of discussions with the applicant with regards to the easements previously existing on this property, however, it is our understanding that any interests in the easements have been released (specifically the Region interest in easement ST3303 under instrument PR2925419)."

Mr. D Sanger-Smith provided letters of support from the following residents of the following address: 38 River Rd; 41 River Rd; 43 River Rd; 42 River Rd; 47 River Rd; 24 Joseph St; 26 Joseph St; 28 Joseph St; 30 Joseph St; 31 Joseph St and 34 Earl St.

No other persons expressed any interest in the application.

Mr. D Sanger-Smith 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. D Sanger-Smith 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.



MISSISSAUGA

File: "A" 152/17

WARD 11

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

1. a lot coverage of 43.80% 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. a porch encroachment inclusive of stairs of 2.19m (7.19ft.); whereas By-law 0225-2007, as amended, permits a maximum porch encroachment of 1.60m (5.25ft.) into the front yard in this instance;
3. an eaves encroachment of 0.61m (2.00ft.) into the front yard; whereas By-law 0225-2007, as amended, permits a maximum eaves encroachment of 0.45m (1.48ft.) into the front yard in this instance;
4. a height of 6.71 m (22.01 ft.) measured to the eaves; whereas By-law 225-2007, as amended, permits a maximum eaves height of 6.4 m (20.99 ft) in this instance;
5. a height of 9.73m (31.92ft.) measured to the highest ridge of the roof; whereas By-law 0225-2007, as amended, permits a maximum height of 9.00m (29.53ft.) measured to the highest ridge of the roof in this instance, and;
6. a driveway width of 6.34m (20.80ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (19.69ft.) in this instance.

MOVED BY: P. QUINN SECONDED BY: D. REYNOLDS CARRIED

APPLICATION APPROVED AS AMENDED

Dated at the City of Mississauga on April 20, 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 MAY 10, 2017.

Date of mailing is April 24, 2017.

S. PATRIZIO (CHAIR)

D. GEORGE

ABSENT

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on April 20, 2017.

SEAN KENNEY - SECRETARY-TREASURER

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

NOTES:



MISSISSAUGA

File: "A" 152/17
WARD 11

- 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

TILLAKENDRA & CHITRA ATHERAY

on Thursday April 13, 2017

Tillakendra & Chitra Atheray are the owners of 7178 Lowville Heights being Lot 6, Registered Plan M-1507, zoned R4-7 - Residential. The applicants request the Committee to authorize a minor variance to permit the construction of a one storey addition (sunroom) to the rear of the existing dwelling on the subject property proposing a rear yard of 6.06m (19.88ft.); whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (24.61ft.) in this instance.

Mr. M. Marino, the authorized agent, attended and presented the subject application to permit the existing sunroom in the rear of the subject property to remain on site. Mr. Marino advised the committee neighbours were in support of the application, and provided 3 signatures of support.

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

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

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Lisgar Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4-7 (Residential)

Other applications:

Building Permit Application: 17-4455

Comments

Zoning

The Building Department is currently processing a building permit application under file 17-4455. Based on review of the information currently available for this building permit the variances, as requested are correct.

Planning

The subject site is located in the Lisgar Neighbourhood, near the intersection of Tenth Line West and Derry Road West. The context is detached dwellings on regular and uniform lots.

The application proposes a new sunroom in the rear yard. The variance requested is a deficient rear yard for the portion where the sunroom is located.

The subject property and the abutting neighbour are anomalies, and have lot frontages and lot area that are significantly greater than the area context, and the requirements of the Zoning By-law. The proposed sunroom is 17.38 m², and is one storey. It is located in the centre of the dwelling, with sufficient and appropriate distance from the side lot lines. The proposed sunroom is only for a small portion of the rear, and is not primary living space. In this instance, it is our opinion that the requested variance maintains the general intent of the Zoning By-law, and the variance is considered minor in nature.

Based on the preceding, the Planning and Building Department has no objection to the application."

City of Mississauga, Transportation and Works Department (April 6, 2017)

"Enclosed for Committees easy reference are a number of photos which depict the existing one storey addition (sunroom)."

A petition was received from a residents of 7182 Lowville Heights; 7172 Lowville Heights; and 7186 Lowville Heights, stating support of the subject application.

A letter was received from Sandy Tsirlis, a resident of 7193 Terrager Blvd, stating concerns that the sunroom was constructed without benefit of a building permit.

No other persons expressed any interest in the application.

The Committee after considering the submissions put forward by Mr. Marino 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. KENNEDY CARRIED

APPLICATION APPROVED

Dated at the City of Mississauga on April 20, 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 **MAY 10, 2017**.

Date of mailing is April 24, 2017.



S. PATRIZIO (CHAIR)

ABSENT


J. ROBINSON



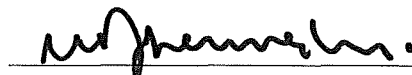
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P. QUINN



D. GEORGE



D. KENNEDY



D. REYNOLDS

I certify this to be a true copy of the Committee's decision given on April 20, 2017.



SEAN KENNEY - 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

SURANJAN, SUSHIL & PAPIA GUPTA

on Thursday April 13, 2017

Suranjan, Sushil & Papia Gupta are the owners of 1080 Edgeleigh Avenue being Lot 39, Registered Plan D-19, zoned R3-75 - Residential. The applicants request the Committee to authorize a minor variance to permit the construction of a two storey dwelling and attached garage on the subject property proposing a side yard of 1.20m (3.94ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (5.94ft.) in this instance.

Mr. K. Khadra, the authorized agent, attended and presented the subject application to permit the construction of a new 2 storey dwelling. Mr. Khadra indicated the walls of the second storey would be built flushed with the first floor.

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

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

"Recommendation

The Planning and Building Department has no objection to the requested variance; however, the applicant may wish to defer the application to apply for the required Building Permit to ensure that all variances have been accurately captured.

Background

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-75 (Residential)

Other Applications:

Building Permit File: Required

Comments

Zoning

A Building Permit application is required and in the absence of a Building Permit application we are unable to confirm the accuracy of the information provided, or determine whether additional variances may be required. There are some discrepancies between the stats in the site statistics table and the site plan related to the landscape area; however, it does appear that they meet the minimum 40% requirement based on the drawings.

Planning

The applicant is requesting side yard setback relief to the second storey of the proposed dwelling. The first storey complies with the required side yard setback provisions of the Zoning By-law. The immediate area consists of a mix of bungalows, split-level homes, and



MISSISSAUGA

File: "A" 155/17
WARD 1

two storey dwellings. The applicant is proposing a two storey dwelling within the 7.50 m (24.61 ft.) permitted height in the Zoning By-law that is in scale with other new construction in the broader neighbourhood. The Department is of the opinion that the reduction in side yard setback to the second storey, in this instance, will not cause a negative impact on the streetscape and will not be imposing from a massing perspective on the neighbouring dwellings.

Based on the preceding information, the Planning and Building Department has no objection to the requested variance; however, the applicant may wish to defer the application to apply for the required Building Permit to ensure that all variances have been accurately captured."

City of Mississauga, Transportation and Works Department (April 6, 2017)

"Transportation and Works conditions will be addressed through the Site Plan/Building Permit Approval process."

Region of Peel, Environment, Transportation and Planning Services (April 7, 2017)

"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.

For more information, please call our Site Servicing Technicians at 905.791.7800 x7973."

No other persons expressed any interest in the application.

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

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of a two storey dwelling and attached garage on the subject property proposing both side yards having a setback of 1.20m (3.94ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (5.94ft.) in this instance.

MOVED BY: J. PAGE SECONDED BY: D. REYNOLDS CARRIED

APPLICATION APPROVED AS AMENDED

Dated at the City of Mississauga on April 20, 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 **MAY 10, 2017**.

Date of mailing is April 24, 2017.





S. PATRIZIO (CHAIR)



D. GEORGE

ABSENT

J. ROBINSON


D. KENNEDY
J. PAGE
D. REYNOLDS
P. QUINN

I certify this to be a true copy of the Committee's decision given on April 20, 2017.



SEAN KENNEY - 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

TOMASZ DUDEK

on Thursday April 13, 2017

Tomasz Dudek is the owner of 532 Gladwyne Court being Lot 105; Registered Plan M-1468, zoned R2-30 – Residential & G2-2 - Greenlands. The applicant requests the Committee to authorize a minor variance to permit the construction of an accessory structure (fireplace) within the rear yard of the subject property proposing a height of 6.16m (20.21ft.); whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (9.84ft.) for an accessory structure in this instance.

Mr. T. Dudek the property owner attended and presented the subject application to permit the construction of a covered porch and fireplace structure with an overage in height. Mr. Dudek indicated the fireplace structure would be located under the covered porch.

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

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

"Recommendation"

The Planning and Building Department has no objection to the requested variance; however the applicant may wish to defer the application to ensure that all required variances have been accurately captured.

Background

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood

Designation: Residential Low Density I & Greenlands

Zoning By-law 0225-2007

Zoning: R2-30 & G2-2 (Residential & Greenlands)

Other Applications:

Building Permit File: 17-5165

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 more information is required to determine whether additional variances will be required. It is unclear whether the accessory structure (playground) complies with the provisions of the Zoning By-law based on the information submitted.

Planning

The applicant is proposing to construct a covered porch addition in the rear yard with a fireplace built into the porch area. The applicant requires a variance for the height of the



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File: "A" 156/17
WARD 2

fireplace as an accessory structure, since it forms part of the porch and is not connected to a primary wall of the dwelling. Fireplaces with increased height do not have the same level of massing impact as a traditional accessory structure of the same height would; they are narrower and cover a much smaller footprint than a traditional accessory structure. The fireplace would extend slightly above the roofline of the covered porch and would be in scale with the proposed addition.

The intent of the Zoning By-law provisions relating to accessory structure height is to ensure that structures aren't imposing on neighbouring properties and that they remain proportional to the dwelling and lot on which they are located. The Department is of the opinion that the requested variance maintains this intent.

Based on the preceding information, the Planning and Building Department has no objection to the requested variance; however the applicant may wish to defer the application to ensure that all required variances have been accurately captured."

City of Mississauga, Transportation and Works Department (April 6, 2017)

"Transportation and Works conditions will be addressed through the Building Permit Approval process."

No other persons expressed any interest in the application.

The Committee asked Mr. Dudek to confirm the accuracy of the subject application.

Mr. Dudek confirmed the accuracy of the application and instructed the Committee to proceed with evaluating the merits of the application.

The Committee after considering the submissions put forward by Mr. Dudek 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.

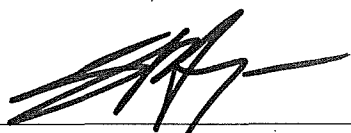
MOVED BY: D. GEORGE SECONDED BY: P. QUINN CARRIED

APPLICATION APPROVED

Dated at the City of Mississauga on April 20, 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 **MAY 10, 2017**.

Date of mailing is April 24, 2017.



S. PATRIZIO (CHAIR)



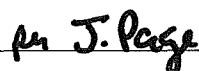
D. GEORGE

ABSENT

J. ROBINSON



D. KENNEDY



J. PAGE



D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on April 20, 2017.



SEAN KENNEY - 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

1306283 ONTARIO INC

on Thursday April 13, 2017

1306283 Ontario Inc is the owner of 2515 Hurontario Street being part of Lot 20, Plan TOR-12, zoned C4 - Commercial. The applicant requests the Committee to authorize a minor variance to permit the operation of a restaurant within Unit 112 of the subject building proposing to provide 107 parking spaces on site and 12 parking spaces provided through the Payment in Lieu (PIL) process; whereas By-law 0225-2007, as amended, requires a minimum of 135 parking spaces to be provided in this instance.

Mr. C. Yu Hsiung, the authorized agent, attended and presented the subject application to permit the extension of a previous minor variance approval for a parking deficient. Mr. Yu Hsiung indicated there were no changes in the use.

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

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

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Downtown Cooksville

Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 (Commercial)

Other Applications:

Certificate of Occupancy File: 16-4111

Comments

Zoning

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

Delete:

"The applicant requests the Committee to authorize a minor variance to permit the operation of a restaurant within Unit 112 of the subject building proposing to provide 107 parking spaces on site and 12 parking spaces provided through the Payment in Lieu (PIL) process; whereas By-law 0225-2007, as amended, requires a minimum of 135 parking spaces to be provided in this instance."

Insert:

"The applicant requests the Committee to authorize a minor variance to permit the operation of a restaurant within Unit 112 of the subject building proposing 107 parking spaces on site and being within 60 m (196.85 ft.) of a residential zone; whereas, By-law 0225-2007, as amended, requires a minimum 122 parking spaces and requires a minimum separation distance of 60 m (196.85 ft.) from all restaurants, convenience restaurants, and take-out restaurants to a residential zone in this instance."

Planning

The applicant is requesting a continuation of a minor variance that was previously approved on a five year temporary basis under file 'A' 144/11. There are no changes proposed to the restaurant use and it appears that the restaurant has not had any parking issues in the time since the previous approval. The Planning and Building Department is of the opinion that the intent of the Zoning By-law to provide adequate parking for all uses on a subject property, is maintained in this instance.

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

City of Mississauga, Transportation and Works Department (April 6, 2017)

"This Department has no objections, comments or requirements with respect to C.A. 'A' 157/17."

No other persons expressed any interest in the application.

Mr. Yu Hsiung 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. Yu Hsiung and having reviewed the plans and comments received, is satisfied that the amended request is desirable for the appropriate temporary use of the subject property.

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to authorize a minor variance to permit the operation of a restaurant within Unit 112 of the subject building proposing 107 parking spaces on site and being within 60 m (196.85 ft.) of a residential zone; whereas, By-law 0225-2007, as amended, requires a minimum 122 parking spaces and requires a minimum separation distance of 60 m (196.85 ft.) from all restaurants, convenience restaurants, and take-out restaurants to a residential zone in this instance."

This decision is valid for a temporary period of five (5) years and shall expire and terminate on or before May 11, 2022 and is subject to the following conditions:

1. The garage door shall be opened for clients parking in underground parking facility.


MOVED BY: P. QUINN SECONDED BY: J. PAGE CARRIED

APPLICATION APPROVED AS AMENDED ON CONDITIONS AS STATED

Dated at the City of Mississauga on April 20, 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 **MAY 10, 2017**.

Date of mailing is April 24, 2017.

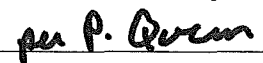


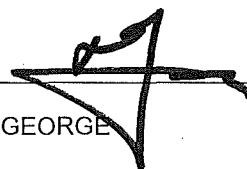
S. PATRIZIO (CHAIR)

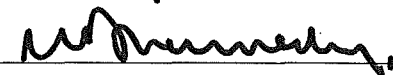
ABSENT


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 April 20, 2017.



SEAN KENNEY - 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

ROSA MARIA CARVALHO

on Thursday April 13, 2017

Rosa Maria Carvalho is the owner of 3434 Joan Drive being Lot 74, Registered Plan 386, zoned R3 - Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a two storey dwelling and below grade garage proposing a northerly side yard of 1.52m (4.99ft.) and a southerly side yard of 1.52m (4.99ft.); whereas By-law 0225-2007, as amended, requires minimum side yards of 1.81m (5.94ft.) in this instance.

Mr. R. Dobosz the authorized agent attended and presented the revised application. Mr. Dobosz advised the Committee revisions were made to the roofline, and proposed flat roof.

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

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

"Recommendation

The Planning and Building Department has no objection to the requested variance; however, the applicant may wish to defer the application to submit revised plans through the Pre-Zoning Review application process to ensure that all variances related to their modified proposal have been accurately captured.

Background

Mississauga Official Plan

Character Area: Fairview Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3 (Residential)

Other Applications:

Pre-Zoning Review Application File: 16-4293

Comments

Zoning

The Planning and Building Department is currently processing a Pre-Zoning Review application and based on the review of the information currently available, we advise that a resubmission of updated plans would be required to verify the accuracy of the requested variance or determine whether additional variances will be required; the proposal has been altered since the Committee's refusal of the previous variance application 'A' 79/17.

Planning

The applicant was previously before the Committee with a similar proposal under file 'A' 79/17, which was refused by the Committee. They have since modified their proposal to remove the balconies at the rear corners of the dwelling, which were a major concern to



MISSISSAUGA

File: "A" 158/17
WARD 7

both planning staff and the Committee members. The requested side yard setback variances allow adequate access to the rear yard, provide adequate separation distance from the adjacent dwellings and are relatively consistent with other new construction along Joan Drive. The decrease of 0.29 m (0.95 ft.) in side yard setback to the second storey will not create a noticeable detrimental impact to the streetscape of Joan Drive. There are a variety of dwelling designs along the street; however, a common theme is tall and wide two storey dwellings with straight walls running towards the rear of the lot. The proposed dwelling should be in character with many of the other dwellings on the street.

Based on the preceding information, the Planning and Building Department has no objection to the requested variance; however, the applicant may wish to defer the application to submit revised plans through the Pre-Zoning Review application process to ensure that all variances related to their modified proposal have been accurately captured."

City of Mississauga, Transportation and Works Department (April 6, 2017)

"As Committee is aware the Transportation and Works Department, in particular the Development Construction Section discourages reverse grade driveways which are drained via sump pumps as there are concerns for potential flooding on the lower level of the dwelling. The Municipality's standard for reverse grade driveways is stated in Section 7.02.03 (currently under review) of the Standard Requirements Manual. The Standard indicates that reverse grade driveways are permitted where the driveway runoff is collected by a drainage system and connected to the municipal sewer or where the drainage runoff is accommodated by design where grading permits.

From the information submitted with this application we are not able to confirm at this time if the reverse grade driveway runoff can adequately be collected by a drainage system and connected to the municipal sewer on Joan Drive. In this regard the applicant/owner should be cognizant that at the time of the Building Permit/Grading Plan Review Process modifications may be required to the proposal to accommodate the reverse grade driveway or alternatively the reverse grade driveway will not be supported.

We are also noting for information purposes that any Transportation and Works Department concerns/requirements for the proposed new two storey dwelling and below grade garage will be addressed through the Building Permit Process."

No other persons expressed any interest in the application.

The Committee after considering the submissions put forward by Mr. Dobosz 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 expressed concerns with the Romeo and Juliet doors leading to the flat roof and suggested revising the doors to windows to ensure they were inoperable.

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

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

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

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

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

APPLICATION APPROVED ON CONDITIONS AS STATED

Dated at the City of Mississauga on April 20, 2017.

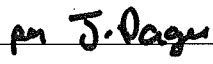
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **MAY 10, 2017**.

Date of mailing is April 24, 2017.



S. PATRIZIO (CHAIR)

ABSENT
J. ROBINSON




J. PAGE

DISSENT
P. QUINN



D. GEORGE



D. KENNEDY



D. REYNOLDS

I certify this to be a true copy of the Committee's decision given on April 20, 2017.



SEAN KENNEY - 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

PHYLLIS KENNEDY

on Thursday April 13, 2017

Phyllis Kennedy is the owner of 6770 Gracefield Drive being Lot 121, Registered Plan M-1052, zoned R4 - Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of an one storey addition (sunroom) to the rear of the existing dwelling on the subject property proposing:

1. a lot coverage of 42.43% of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% of the lot area in this instance; and,
2. a rear yard of 4.88m (16.01ft.); whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (24.61ft.) in this instance.

Mr. P. Afshar, the authorized agent, attended and presented the subject application to construct a sunroom in the rear yard of the subject property. Mr. Afshar explained the minor variances requested and indicated the construction of the sunroom required a reduced rear yard setback and contributed to the overage in the lot coverage.

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

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

"Recommendation

The Planning and Building Department is unable to support the application.

Background

Mississauga Official Plan

Character Area: Dixie Employment Area

Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2 (Employment)

Other Applications:

N/A

Comments

Zoning

Based on the information provided with this application, we are unable to confirm the accuracy of the requested variance or determine whether additional variances may be required. Many of the variances previously applied for and granted under file 'A' 251/11 have not been reapplied for and may be required.

Planning



MISSISSAUGA

File: "A" 159/17
WARD 7

The applicant is requesting a continuation of a previously approved minor variance under file 'A' 253/11. At the time of that application the Planning and Building Department indicated that there were concerns related to the permission of this use in employment lands and that the goal of the E2 zoning is to preserve these areas for higher order employment uses. As a result, it was the opinion of the Department that the requested variances did not maintain the general intent of the Official Plan or Zoning By-law.

The Department recognizes that the applicant has indicated that they only require a short temporary extension to facilitate a transition to a new site; however, the policies remain the same as at the time of the previous application and we are still unable to support the application, as a result.

City of Mississauga, Transportation and Works Department (April 6, 2017)

"We are noting for information proposes that any Transportation and works Department concerns/requirements for the proposed one storey addition (sunroom) will be addressed through the Building Permit Process."

No other persons expressed any interest in the application.

The Committee after considering the submissions put forward Mr. Afshar 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" 159/17
WARD 7

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

MOVED BY: D. KENNEDY SECONDED BY: D. GEORGE CARRIED

APPLICATION APPROVED

Dated at the City of Mississauga on April 20, 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 **MAY 10, 2017**.

Date of mailing is April 24, 2017.

S. PATRIZIO (CHAIR)

D. GEORGE

ABSENT

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on April 20, 2017.

SEAN KENNEY - 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

BELCOSI 2280 DIXIE CORP

on Thursday April 13, 2017

Belcosi 2280 Dixie Corp is the owner of 2280, 2290, 2292 & 2300 Dixie Road being part of Lot 6, Concession 1, SDS, zoned E2 – Employment. The applicant requests the Committee to authorize a minor variance to permit the continued operation of the retail sales and leasing of motor vehicles within the building on 2290 Dixie Road pursuant to Committee of Adjustment file A251/11; whereas By-law 0225-2007, as amended, does not permit this use in E2 - Employment zone in this instance.

Mr. C. Chew, the authorized agent, attended and presented the subject application to permit the establishment of a luxury motor vehicle operation to continue on the subject property. Mr. Chew requested that the variance be extended for a time span of 12 months.

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

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

"Recommendation"

The Planning and Building Department is unable to support the application.

Background

Mississauga Official Plan

Character Area: Dixie Employment Area

Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2 (Employment)

Other Applications:

N/A

Comments

Zoning

Based on the information provided with this application, we are unable to confirm the accuracy of the requested variance or determine whether additional variances may be required. Many of the variances previously applied for and granted under file 'A' 251/11 have not been reapplied for and may be required.

Planning

The applicant is requesting a continuation of a previously approved minor variance under file 'A' 253/11. At the time of that application the Planning and Building Department indicated that there were concerns related to the permission of this use in employment lands and that the goal of the E2 zoning is to preserve these areas for higher order



MISSISSAUGA

File: "A" 160/17
WARD 1

employment uses. As a result, it was the opinion of the Department that the requested variances did not maintain the general intent of the Official Plan or Zoning By-law.

The Department recognizes that the applicant has indicated that they only require a short temporary extension to facilitate a transition to a new site; however, the policies remain the same as at the time of the previous application and we are still unable to support the application, as a result.

City of Mississauga, Transportation and Works Department (April 6 2017)

"Enclosed are pictures of the subject property."

No other persons expressed any interest in the application.

The Committee after considering the submissions put forward by Mr. Chew 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 conditions:

1. The applicant shall proceed in accordance with the parking arrangement discussed
2. The applicant shall proceed for a time period of 12 months

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

APPLICATION APPROVED ON CONDITIONS AS STATED

Dated at the City of Mississauga on April 20, 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 **MAY 10, 2017**.

Date of mailing is April 24, 2017.



S. PATRIZIO (CHAIR)

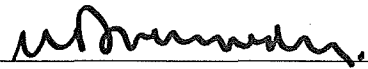
ABSENT


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 April 20, 2017.



SEAN KENNEY - 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

JOHN & MADALYN BOYLE

on Thursday April 13, 2017

John & Madalyn Boyle are the owners of 130 Harborn Road being Lot 4, Registered Plan 673, zoned R1-7 - Residential. The applicants 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 33.30% of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% of the lot area in this instance;
2. a front yard of 10.00m (32.81ft.); whereas By-law 0225-2007, as amended, requires a minimum front yard of 12.00m (39.37ft.) in this instance;
3. a window well encroachment of 1.07m (3.51ft.) into the north-easterly side yard; whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.61m (2.00ft.) into the required side yard in this instance;
4. a window well encroachment of 0.68m (3.51ft.) into the south-westerly side yard; whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.61m (2.00ft.) into the required side yard in this instance; and,
5. a driveway width of 11.95m (39.21ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50m (34.45ft.) in this instance.

Mr. D. Brown, the authorized agent, attended and presented the subject application to construct a new dwelling, with a reduced front yard, an overage in lot coverage and a window well encroachment. Mr. Brown requested to withdraw variance 5 for the driveway width. Mr. Brown indicated the architectural style of the proposed home includes a large covered porch area, and amenity spaces in the rear yard of the property. He noted that the house footprint and the terrace including the roof overhang contributed to the overage in the lot coverage.

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

City of Mississauga, Planning and Building Department (April 10, 2017)

"Recommendation"

The Planning and Building Department has no objection to the requested variances; however, the applicant may wish to defer the application to submit additional information through the Site Plan Approval application to ensure that no additional variances are required related to the proposed cabana or fireplace.

Background

Mississauga Official Plan

Character Area: Cooksville Neighbourhood (West)



MISSISSAUGA

File: "A" 161/17
WARD 7

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1-7 (Residential)

Other Applications:

Site Plan Approval Application File: SPI 17-25

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 advise that the variances which have been applied for are correct; however, more information is required to determine whether additional variances will be required with respect to the proposed accessory structures. We require additional information related to the cabana and fireplace.

Planning

The applicant is proposing to construct a new two storey dwelling on the subject property requiring variances for lot coverage, window well encroachments, and a front yard setback.

The requested variances for window well encroachments are required on both sides of the dwelling; however, neither side results in a window well that is close enough to the property line to cause any negative impacts and there is also substantial space still provided on the southerly side yard to allow for unimpeded access to the rear yard.

The front yard setback reduction is required to a small portion of the dwelling that juts out beside the covered porch in the front yard, which represents a limited portion of the front wall of the dwelling. The majority of the front face of the dwelling has an increased setback of 11.00 m (36.09 ft.) or more. The front face of the proposed dwelling is generally in line with the adjacent dwellings and will maintain a consistent building line along the street. The Department is of the opinion that the general intent of this Zoning By-law provisions is maintained.

The lot coverage request appears significant initially; however, there are several factors which help to mitigate potential massing impacts of increased coverage. Many parts of the dwelling are more representative of a single storey structure, with the second floor only representing a portion of the area of the main floor. This helps to limit the massing effects that would be felt by a large two storey structure where the second floor covered the same area as the larger ground floor. The design of the broken up roofline also helps to limit the appearance of the mass of the dwelling. Further, a relatively significant portion of the lot coverage request is related to covered porches in the rear and front yard, which do not have the same impact as a portion of the main dwelling, with the same amount of lot coverage, would.

Based on the preceding information, the Planning and Building Department has no objection to the requested variances; however, the applicant may wish to defer the application to submit additional information through the Site Plan Approval application to ensure that no additional variances are required related to the proposed cabana or fireplace."

City of Mississauga, Transportation and Works Department (April 6, 2017)

"This department has no objections to the applicant's request. We are noting that the City is currently processing a Site Plan Application for this property, Reference SP 17/25. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process."

No other persons expressed any interest in the application.



MISSISSAUGA

File: "A" 161/17
WARD 7

The Committee asked Mr. Brown to confirm the accuracy of the subject application.

Mr. Brown confirmed that the requested variances were accurate and that no additional variances were required. He requested the Committee to proceed with evaluating the merits of the application.

Mr. Brown 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. Brown 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.



MISSISSAUGA

File: "A" 161/17
WARD 7

Accordingly, the Committee resolves to authorize and grant the amended request to withdraw:

5. a driveway width of 11.95m (39.21ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50m (34.45ft.) in this instance.

This decision is subject to the following conditions:

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 AS AMENDED ON CONDITIONS AS STATED

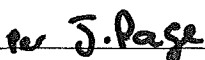
Dated at the City of Mississauga on April 20, 2017.

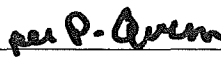
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **MAY 10, 2017**.


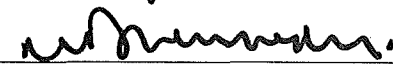
Date of mailing is April 24, 2017.


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 April 20, 2017.


SEAN KENNEY - 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

THINNOX HOLDING CORPORATION

on Thursday April 13, 2017

Thinnox Holding Corporation is the owner of 755 Lakeshore Road East being part of Lots 58 and 59, Registered Plan C-23, zoned C4 - Commercial. The applicant requests the Committee to authorize a minor variance to permit the establishment of a commercial school on the subject property proposing 7 parking spaces on site; whereas By-law 0225-2007, as amended, requires a minimum of 13 parking spaces for a commercial school on the subject property in this instance.

On October 6, 2016, Mr. D. Theriault, authorized agent, attended presented the application to the Committee noting that their intended application was to establish a commercial school at the subject location but had also received permission to operate a public school curriculum as well.

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

City of Mississauga Planning and Building Department (September 30, 2016):

"Recommendation

The Planning and Building Department recommends that the application be deferred to allow the applicant to clarify the intended use of the property and to determine the appropriate number of required and provided parking on site.

Background

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 (Commercial)

Other Applications:

Certificate of Occupancy File: 16-1121

Comments

Zoning

The referenced use was approved under a recent Certificate of Occupancy and based on the information provided with the Certificate of Occupancy application the requested variances are not required. However, the information submitted with the Committee of Adjustment application does not match the Certificate of Occupancy application. The Certificate of Occupancy indicates the demolition of the secondary building on the subject property which a demolition permit is currently active for; however, the current Minor



MISSISSAUGA

File: "A" 401/16
WARD 1

Variance application indicates that it will be retained and operational. If the secondary building is retained the Certificate of Occupancy will no longer be valid.

Planning

Given the uncertainty surrounding the functionality of the site, the Planning and Building Department recommends that the applicant defer the application to either submit information consistent with the current Certificate of Occupancy application and determine whether the variance or necessary or apply for an updated Certificate of Occupancy to verify the intended use of the second building.

Further, the subject property is within a Payment in lieu of parking (PIL) area and staff has concerns with the functionality of the site as described by the Minor Variance application. The applicant has submitted a brief letter explaining their parking requirement; however, we require additional information highlighting the volume of vehicles during pick up and drop off times, as well as the number of spaces utilized long term during peak hours. The alternate location on Glen Erin Drive may be considered as a proxy site to study. Depending on the action taken with regards to the applicants Certificate of Occupancy application, they may not require a parking variance or may have a different number of required spaces.

Based on the preceding information, the Planning and Building Department recommends that the application be deferred to allow the applicant to clarify the intent of the use of the property and to determine the appropriate number of required and provided parking on site.

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

"Enclosed for Committee's easy reference are some photos which depict the subject property."

A letter was received from A. Choi, a representative of 1495 Hurontario Street, expressing an interest in the application.

No other persons expressed any interest in the application.

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

On November 10, 2016, Mr. D. Theriault, authorized agent, attended the hearing and requested that the application be deferred in order to redesign the proposal. He advised the Committee that the site was very challenging and that it would take time to work through all the comments received given how small the site was as well as speak with neighbours with regards to the application. He also advised the Committee that various scheduling issues had contributed to the lengthy deferral time needed.

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

City of Mississauga Planning and Building Department (November 4, 2016):

"Recommendation

The Planning and Building Department recommends that the application be deferred to allow the applicant to clarify the intended use of the property and to determine the appropriate number of required and provided parking on site.

Background

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Mixed Use

Zoning By-law 0225-2007



MISSISSAUGA

File: "A" 401/16
WARD 1

Zoning: C4 (Commercial)

Other Applications:

Certificate of Occupancy File: 16-1121

Comments

Zoning

N/A

Planning

As no new information has been received, our comments from the previous hearing remain applicable."

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

"This Department has no objections, comments or requirements with respect to C.A. 'A'401/16"

Region of Peel, Public Works (November 4, 2016)

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

Mr. G. Kirton, a Planner for the Planning and Building Department, attended and indicated that there was a very large deficiency in parking on site and that a parking study may be required.

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

On February 9, 2017, Mr. D. Theriault, the authorized agent, attended and requested a deferral of the application. Mr. Theriault indicated that he had submitted a parking study and through its review additional information was required to proceed with the Minor Variance application.

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

City of Mississauga, Planning and Building Department (February 3, 2017)

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 (Commercial)

Other Applications:

Certificate of Occupancy File: 16-1121 (For Building A)

Certificate of Occupancy File: Required (For Building B)

Building Permit File: Required (For Building B)

Comments

Planning



MISSISSAUGA

File: "A" 401/16

WARD 1

Since the previous hearing, Planning and Zoning Staff have met with the applicant to review the application and discuss the recently submitted Parking Justification Study. The applicant has indicated that they will be requesting a deferral at the February 9, 2017 hearing in order to submit the required applications for Building B, which they intend to use for their operations, and clarify the parking layout and possible additional variance requirements. The Department supports this request for deferral and is of the opinion that more information must be received in order to provide a comprehensive comment and recommendation for this application."

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

"Please refer to our comments submitted for the October 6, 2016 hearing of this application as those comments are still applicable."

Region of Peel, Environment, Transportation and Planning Services (February 6, 2017)

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

No other persons expressed any interest in the application.

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

On March 9, 2017, Mr. D. Theriault, the authorized agent, attended and requested a deferral of the subject application. Mr. Theriault advised the Committee that he had submitted the wrong plans to staff for review. He confirmed that the correct plans had recently been submitted and that additional time was required for these plans to be reviewed.

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

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

"Recommendation"

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

Background

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 (Commercial)

Comments

Planning

Planning and Building Department staff met with the authorized agent for the file to discuss the remaining discrepancies in the application and the agent has advised that he will be requesting a deferral at the hearing in order to submit additional information to the Committee of Adjustment office for circulation and to clarify the required variances. Staff supports this request."

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

"Please refer to our comments submitted for the October 6, 2016 hearing of this application as those comments are still applicable."

No other persons expressed any interest in the application.



MISSISSAUGA

File: "A" 401/16

WARD 1

The Committee consented to the request and deferred the application to the April 13, 2017 hearing.

On April 13, 2017, Mr. D. Theriault, the authorized agent, attended and presented the revised application to provide a reduction of parking, at a rate of 3.4 spaces per 100 meters squared. Mr. Theriault noted a parking study was undertaken. Mr. Theriault indicated the parking configuration was redesigned and one space was reduced. He advised Committee the building was not barrier free building however as advised would provide an accessible parking space.

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

City of Mississauga, Planning and Building Department (April 12, 2017)

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 (Commercial)

Other Applications:

Certificate of Occupancy File: Required for part of the requested use.

Comments

Planning

The Department has been in contact with the applicant multiple times since the previous hearing trying to work through the remaining issues on the site that need to be addressed. While some progress has been made, the Department is not currently in possession of enough additional information to move forward on the application. As a result, we have to recommend that the application be deferred an additional time."

City of Mississauga, Transportation and Works Department (April 6, 2017)

Further to our comments submitted for the October 6, 2016 Hearing we are advising that a revised Site Plan Drawing A005 has been circulated which depicts Parking Spaces #1 & 2 being parallel to Lakeshore Road East. This department does not support the location of parking space #1 adjacent to the right of way as we would not want to see any possible parking encroachment into the municipal right of way. It should also be noted that there is a large hydro utility pole and municipal sidewalk in close proximity to the property line within the boulevard area. This department would also recommend that parking space # 1 be removed from the plan. With respect to parking space #2 we would request that it be relocated abutting the end of parking spaces #3 & 4 which would provide a buffer between the parking space and municipal right of way and also ensure there will be no encroachments.

Mr. G. Kirton, Planner from Planning and Building, specified the rate of parking to be provided for subject use was 3.85 parking spaces per 100 meters squared in this case. Mr. Kirton requested the applicant to provide the number of spaces to be provided, and noted with the proposed rate of 3.4 spaces there would still be a deficiency.

Mr. D. Martin, Supervisor from Transportation and Works, discussed the parking scenario presented to the department by the applicant. Mr. D. Martin identified the current parking scenario proposes a potentially safety hazard and the additional parking space located



MISSISSAUGA

File: "A" 401/16

WARD 1

adjacent to the municipal sidewalk was not optimal. He noted, the ideal configuration would be a cluster of 3 at front and 3 at the rear of the property.

No other persons expressed any interest in the application.

The Committee consented to the request and, after considering the submissions put forward by Mr. Theriault 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" 401/16

WARD 1

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 plans reviewed by the Committee.

Accordingly, the Committee resolves to authorize and grant the amended request to authorize a minor variance to permit the establishment of a commercial school on the subject property proposing a total of 6 parking spaces on site, 8 through PIL (payment in lieu) whereas By-law 0225-2007, as amended, requires a total of 19 spaces for all uses on site.

MOVED BY: J. PAGE SECONDED BY: P. QUINN CARRIED

APPLICATION APPROVED AS AMENDED ON CONDITIONS AS STATED

Dated at the City of Mississauga on April 20, 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 **MAY 10, 2017**.

Date of mailing is April 24, 2017.

S. PATRIZIO (CHAIR)

D. GEORGE

ABSENT

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on April 20, 2017.

SEAN KENNEY - 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

NELSON GONZALEZ

on Thursday April 13, 2017

Nelson Gonzalez is the owner of 2006 Portway Avenue being Lot 146, Registered Plan 697, zoned R1 - Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a second storey addition to the existing dwelling on the subject property proposing a northerly side yard of 1.92m (6.30ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard of 3.00m (9.84ft.) in this instance.

On March 2, 2017, Mr. R. Dobosz, the authorized agent, attended and requested a deferral of the subject application to allow him additional time to provide correct information to the Committee for review.

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

City of Mississauga, Planning and Building Department (February 24, 2017)

"Recommendation"

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

Background

Mississauga Official Plan

Character Area: Sheridan Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1 (Residential)

Other Applications:

Building Permit File: BP9ALT 16-3893

Comments

Zoning

N/A

Planning

The application requests a minor variance to permit the construction of a second storey addition to the existing dwelling. City Inspections has indicated that the first storey structure has been removed. An Order to Comply and Stop Work Order have been issued related to the demolition permit. A revision to the Building Permit, and to the Minor Variance Application is required.

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

City of Mississauga, Transportation and Works Department (February 23, 2017)

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

The Ministry of Transportation (February 13, 2017)

"The Ministry has received the submission regarding the new application – (minor variance) for 2006 Portway Ave. noted above. The location of the proposal is within MTO's permit control area and permits may be required. Please have the proponent submit a site plan or conceptual drawing of the work to be done."

A letter was received from D. Youdell, a resident of 2018 Portway Avenue, stating his concerns with the subject application.

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the application to the April 13, 2017 hearing.

On April 13, 2017, Mr. W. Oughtred, the authorized agent attended and presented the revised application to permit a second storey addition. Mr. Oughtred indicated only a portion of the dwelling does not conform to the zoning by law provisions and he noted a minor variance for the side yard setback was being sought. Mr. Oughtred requested to not recess the secondary storey to 3m but to the existing legal non-conforming standard of 1.92m. He explained the intention was to set back the second storey, however was changed to flush the second storey with the existing walls.

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

City of Mississauga, Planning and Building Department (April 10, 2017)

"Recommendation"

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

Background

Mississauga Official Plan

Character Area: Sheridan Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1 (Residential)

Other Applications:

Building Permit File: 17-4455 (relating to ground floor walls)
Building Permit File: 16-3893 (original permit relating to second storey addition)

Comments

Zoning

The Planning and Building Department is currently processing two Building Permit applications and based on review of the information currently available, we advise that the variances should be amended as follows:

"to permit the construction of a second storey addition **and rebuild partial exterior walls** on the subject property proposing a side yard of 1.92 m (6.30 ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard of 3.00 m (9.84 ft.) in this instance."

Planning

The applicant previously deferred the application at the February 24, 2017 Committee of Adjustment hearing as a result of inconsistencies between the permits which had been applied for, the proposal, and on-site conditions.

Since the previous hearing the applicant has worked with inspections staff and building division staff to clarify the permit issues and has since applied for a second Building Permit to allow for the reconstruction of part of the existing first storey walls, which had been partially removed. The additional Building Permit in conjunction with the previously applied for Building Permit for the second storey addition allows for the Minor Variance application to go forward without issue from a zoning perspective.

The applicant is requesting a reduction in side yard setback on the westerly side yard to allow for the construction of the second storey on top of the existing first storey footprint. The reduction in setback should not have a significant impact on the neighbouring dwelling and maintains adequate separation distance given the context of the neighbouring dwelling. The reduced setback is adjacent to the garage of the neighbouring dwelling. Further, the adjacent dwelling is angled away from the subject property, which further reduces any massing impacts of the proposed second storey addition.

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

City of Mississauga, Transportation and Works Department (April 6, 2017)

"We are noting for information purposes that any Transportation and Works Department comments/requirements for this property will be addressed through the Building Permit Review."

Mr. G. Kirton confirmed that the previous house and foundation wall was sitting at 1.92m from the front lot line.

Mr. Louis, a resident of 1458 Beemer Avenue, attended the hearing to state an objection to the subject application. He expressed his concerns with respect to privacy and sightlines being infringed upon from the proposed dwelling which were exasperated due to the positioning of the dwelling on the property. He expressed concerns with the traffic flow as well and requested the Committee to refuse the subject application.

A resident of 1452 Beemer Avenue attended the hearing and expressed concerns with the position of the dwelling of the lot.

No other persons expressed any interest in the application.

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

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

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of a second storey addition and rebuild partial exterior walls on the subject property proposing a side yard of 1.92 m (6.30 ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard of 3.00 m (9.84 ft.) in this instance.

This decision is subject to the following conditions:

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 AS AMENDED ON CONDITIONS AS STATED

Dated at the City of Mississauga on April 20, 2017.

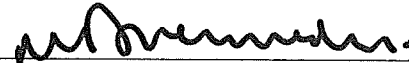
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **MAY 10, 2017**.

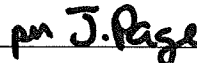
Date of mailing is April 24, 2017.


S. PATRIZIO (CHAIR)


D. GEORGE

ABSENT
J. ROBINSON


D. KENNEDY


J. PAGE


D. REYNOLDS

DISSENT
P. QUINN

I certify this to be a true copy of the Committee's decision given on April 20, 2017.


SEAN KENNEY - 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

XUE XIA WONG

on Thursday April 13, 2017

Xue Xia Wong is the owner of 77 Vista Drive being Lot 34, Registered Plan 513, zoned R2-50 - Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new two storey dwelling on the subject property proposing:

1. a gross floor area - infill residential of 299.90 m² (3228.20 sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 263.64m² (2,837.80sq.ft.) in this instance;
2. a lot coverage of 28.90% (164.21m²/1,767.66sq.ft.) of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (142.06m²/1529.12sq.ft.) of the lot area in this instance.

On March 2, 2017, Mr. K. Khadra, the authorized agent, attended and requested a deferral to allow him the opportunity to address the concerns raised by staff and to revise the proposal.

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

City of Mississauga, Planning and Building Department (February 27, 2017)

"Recommendation

The Planning and Building Department recommends that the application be deferred in order for the applicant to redesign the dwelling.

Background

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-50

Comments

Zoning

The Building Department is currently processing a building permit application under file PREAPP 16-3973. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Planning

The City of Mississauga implemented a Streetsville infill housing bylaw in 2011. The requested variances contravene the intent of the infill housing bylaw. In our opinion the requested variances reflect a dwelling design that is unwarranted in nature. Given that the proposal is for a new dwelling on a regular lot, we are not satisfied as to the reason why the



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applicant requires relief from the zoning bylaw in this manner. As such, it is our opinion that the requested variances do not reflect appropriate development of the subject property.

The Planning and Building Department recommends that the application be deferred in order for the applicant to redesign the dwelling."

City of Mississauga, Transportation and Works Department (February 23, 2017)

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

A letter was received from M. Jessome-Greay, a resident of 62 Vista Drive, 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 April 13, 2017 hearing.

On April 13, 2017, Mr. K. Khadra, the authorized agent, attended and presented the revised application to permit the construction of a new 2 storey dwelling.

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

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

"Recommendation

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

Background

Mississauga Official Plan

Character Area: Streetsville Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-50 (Residential)

Other Applications:

Pre Zoning Application File: 16-3973

Comments

Zoning

The Building Department is currently processing a building permit application under file PREAPP 16-3973. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Planning

The subject site is located in the Streetsville Neighbourhood, near the intersection of Thomas Street and Erin Mills Parkway.

The application was previously at the Committee of Adjustment on March 2, 2017. The application has been revised.

Previously, the application requested variances for excessive gross floor area (GFA), excessive lot coverage and a deficient front yard. The proposed GFA has been reduced to 299.90 m² where previously the application requested 329.77m². The proposed lot



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coverage has been reduced to 28.90% where previously the application requested 31.40%. The variance for deficient front yard has been removed.

The proposed dwelling has been redesigned in order to minimize GFA and lot coverage, and impact from the street. No other variances are requested. The proposed GFA includes the garage. Approximately 3% of the proposed lot coverage is for porch and rear deck.

The immediate area has two different zoning categories. The zone changes from R2-50 to R3 within 15 m of the subject property. The R3 zone is less restrictive in this instance. In our opinion, the proposed dwelling is appropriately designed and compatible within the current context. In our opinion, the general intent of the Zoning By-law is maintained, and the variances are considered minor.

Based on the preceding, the Planning and Building Department has no objection to the application."

City of Mississauga, Transportation and Works Department (April 6, 2017)

"We are noting for information proposes that any Transportation and works Department concerns/requirements for the proposed new two storey dwelling will be addressed through the Building Permit Process."

No other persons expressed any interest in the application.

The Committee after considering the submissions put forward by Mr. Khadra 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: D. GEORGE SECONDED BY: D. KENNEDY CARRIED

APPLICATION APPROVED

Dated at the City of Mississauga on April 20, 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 **MAY 10, 2017**.

Date of mailing is April 24, 2017.

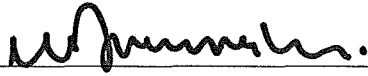


S. PATRIZIO (CHAIR)

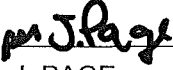


D. GEORGE

ABSENT
J. ROBINSON

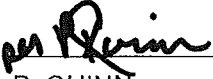


D. KENNEDY



J. PAGE

ABSENT
D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on April 20, 2017.



SEAN KENNEY - 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

PFS GTA INDUSTRIAL INC

on Thursday April 13, 2017

PFS Gta Industrial Inc is the owner of 6789 Airport Road being part of Lots 9, 10, Concession 7, EHS, zoned E2-38 - Employment. The applicant requests the Committee to authorize a minor variance to permit the establishment of restaurants, convenience restuarants and patios on the subject property proposing:

1. four (4) outdoor patios; whereas By-law 0225-2007, as amended, does not permit an outdoor patio in an E2 - Employment zones in this instance.
2. a total of 140 parking spaces for all uses on the subject property; whereas By-law 0225-2007, as amended, requires a minimum of 306 parking spaces for all uses on the subject property in this instance.

On March 23, 2017, Mr. E. Amaya, the authorized agent, attended and requested a deferral of the application to allow the opportunity for the necessary review of the concurrent Site Plan Approval application to occur.

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

City of Mississauga, Planning and Building Department (March 20, 2017)

"Recommendation"

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

Background

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-38

Other Applications:

Site Plan Application: SP-16/139

Comments

Zoning

The Building Department is currently processing a site plan approval application under file SP-16/139. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variances or determine whether additional variances will be required.

Planning



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WARD 5

The subject site is located in the Northeast Employment Area, near the intersection of Airport Road and Derry Road East.

The application proposes a new multi-tenant restaurant commercial centre, requesting a variance to permit patios and a reduction in parking. Staff has reviewed the Parking Utilization Study and has requested additional surveying in the evening hours at the two proxy sites in order to determine peak parking occupancy.

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

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

"We are advising that the Planning and Building Department will be addressing any parking requirements for the subject property."

Region of Peel, Environment, Transportation and Planning Services (March 21, 2017)

"As per Region of Peel Storm Sewer Design Criteria 2.0 and 3.0: No additional storm drainage shall be conveyed to the Region of Peel's Right of Way; No grading will be permitted within any Region of Peel Right-of-Way to support adjacent development; and Post-Development flows must be equal to or less than Pre-Development levels."

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the application to the April 13, 2017 hearing.

On April 13, Mr. R. Gladman, the authorized agent, attended and presented the subject application. Mr. Gladman indicated the site is currently undergoing site plan approval for the construction of 3 building for food uses. He noted the occupancy was a permitted use within the employment zone and suggested no rezoning would be necessary.

Mr. Gladman presented the requested variances, and indicated the patios were proposed at Building A and Building C, he suggested the addition of the patios were complimentary to the City's streetscape improvement initiatives.

Mr. Gladman explained a parking justification study was undertaken on the site, and suggested base on the existing site conditions, no more parking could be accommodated then what is proposed. Mr. Gladman requested that if approved, that the site not be subjected to a temporary term.

Mr. R. Ruggerio, Planner from Planning & Building, explained the intention of planning was to reevaluate the parking in the coming years therefore a conditional approval on a temporary basis is recommended.

Mr. Gladman explained the type of quick take restaurants who would be occupying the site and mentioned over 70% of the site was already leased to prospective tenants.

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

City of Mississauga, Planning and Building Department (April 11, 2017)

The Planning and Building Department has no objection to the application, subject to the conditions, 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: Northeast Employment Area

Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-38 (Employment)

Other Applications:

Site Plan Application File: 16-139

Comments

Zoning

The Building Department is currently processing a site plan approval application under file SP-16/139. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variances or determine whether additional variances will be required.

Planning

The subject site is located in the Northeast Employment Area, near the intersection of Airport Road and Derry Road East. The immediate context is low density employment uses, and directly across the street from Pearson International Airport. The subject site consists of an existing office building, to be demolished, and an existing warehouse building. The application proposes three new buildings with restaurant, and take-out restaurant uses, with accessory patio uses.

The proposed restaurant patios would be contained within the site, and do not obstruct any required parking spaces. The proposed patios are proportionate to the scale of the site, and are accessory to the restaurant and take-out restaurant uses. Restaurants are a common condition along Airport Road. A site plan application is currently under review.

A parking study dated December 2014 was submitted with the application. Staff reviewed the parking study and requested additional survey times at the proxy site. An addendum was received and reviewed in April 2017. The parking study findings indicate a peak parking demand at 6:30 pm. Staff completed further analysis and determined that 140 parking spaces for all proposed uses at the subject site is appropriate and sufficient.

The Planning and Building Department recommend the following conditions:

- That the maximum GFA- non-residential devoted to all restaurant uses shall not exceed 1815 m²
- That the variance be given for a temporary time period of three years

Based on the preceding, the Planning and Building Department has no objection to the application, subject to the conditions, 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 (April 6, 2017)

"We are advising that the Planning and Building Department will be addressing any parking requirements for the subject property."

No other persons expressed any interest in the application.

The Committee asked Mr. Gladman to confirm the accuracy of the subject application.

Mr. Gladman confirmed that the requested variances were accurate and that no additional variances were required. He requested the Committee to proceed with evaluating the merits of the application.

The Committee after considering the submissions put forward by Mr. Gladman 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 discussed the



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WARD 5

need for a termed condition to approval to ensure that no overflow parking would occur in the future affecting adjacent property owners.

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

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

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

1. That the maximum GFA- non-residential devoted to all restaurant uses shall not exceed 1815 m2

MOVED BY: D. GEORGE SECONDED BY: P. QUINN CARRIED

APPLICATION APPROVED ON CONDITIONS AS STATED

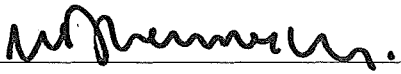
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Date of mailing is April 24, 2017.


S. PATRIZIO (CHAIR)
D. GEORGE

ABSENT
J. ROBINSON


D. KENNEDY

ABSENT
J. PAGE


D. REYNOLDS
P. QUINN

I certify this to be a true copy of the Committee's decision given on April 20, 2017.


SEAN KENNEY - 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.