

COMMITTEE OF ADJUSTMENT RESULTS



Location: COUNCIL CHAMBER
Hearing: DECEMBER 6, 2018 AT 1:30 P.M.

File	Name of Applicant	Location of Land	Ward	Decision
AA = Approved as Amended ACP= Condition Plan AC= Approved on Condition AT = Approved Temporarily D = Deferred AIP=Approved in Part				

MOTIONS

A164/18 – 6071 Camgreen Cir: Applicant has requested to withdraw the application (Jan 10)

NEW APPLICATIONS - (CONSENT)

B-78/18	ESTATE OF MARGARET CUNNINGHAM	47 BROADVIEW AVE	1	Approved (AC)
B-79/18	& LYNN MARIE & TERRANCE PATRICK DOVASTON	51 BROADVIEW AVE		Approved (AC)
B-80/18	USMAN MUHAMMAD SYED &	7615 NETHERWOOD RD	5	D (Feb 14)
A-440/18	SHAIESTA MAQBOOZ			
A-441/18				

DEFERRED APPLICATIONS - (CONSENT)

B-71/18	MOHAMMAD SHARIF HASHMANI &	768 MONTBECK CRES	1	Approved (AC)
A-404/18	ARSALAN HASHMANI			Approved (ACP)
A-405/18				Approved (ACP)

NEW APPLICATIONS - (MINOR VARIANCE)

A-431/18	SHOAIBUL HAQ SHAH & HINA SHOAIB	1686 VILLAGE VIEW PL	6	D (Mar 7)
A-432/18	GHUFRAN ALABID	4147 INDEPENDENCE AVE	4	Approved
A-433/18	HARDESH MARWAHA	168 FAIRVIEW RD W	7	Approved (AC)
A-434/18	ERIN MILLS COMMERCIAL CENTRE LTD	3600 EGLINTON AVE W	8	Approved (AC)
A-435/18	CHARLES FREY/ CATHERINE BROW	1063 GREENOAKS DR	2	D (Mar 21)
A-436/18	HURONTARIO CENTRE LTD	5029, 5031, 5033 & 5035 HURONTARIO ST	5	D (Jan 17)
A-437/18	HUSAM GAGO & MUNIA BADI	3415 JOAN DR	7	Approved (AC)
A-438/18	KINGSMEN (LAKESHORE) INC.	0 LAKESHORE RD E & 1077 ENOLA AVE.	1	Approved (AC)
A-439/18	DAVID HAMMOND & DEBRANI GHOSH	1525 POINT-O-WOODS RD	1	Approved

DEFERRED APPLICATIONS - (MINOR VARIANCE)

A-401/18	SOLMAR (EDGE) CORP.	24-64 ELM DR W & 3528/3536 HURONTARIO STREET	7	D (Mar 7)
A-402/18				

Decision of the Mississauga Committee of Adjustment under
Section 53 of The Planning Act R.S.O. 1990, C.P.13, as amended.
Application by **THE ESTATE OF MARGARET CUNNINGHAM** for the property located at
47 BROADVIEW AVENUE.

Date of Hearing on Thursday December 6, 2018
Date Decision Signed by the Committee December 13, 2018

The hearing commenced at approximately 1:30p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:36p.m.

APPLICATION DETAILS

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.62m (25.00ft) and a lot area of approximately 266.70sq.m (2,870.73sq.ft).

B. Oughtred, agent, attended and presented evidence in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated November 26, 2018)
- City of Mississauga, Transportation and Works Department (dated November 29, 2018)
- City of Mississauga, Community Services Department, Park Planning (dated November 21, 2018)
- Region of Peel (dated November 1, 2018)
- Bell Canada, Right-of-Way (dated December 6, 2018)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from the following residents who objected to the subject application: 212 Queen Street West, 208 & 206 Queen Street West, and 44 Broadview Avenue.

The property owner of 206 & 208 Queen Street West appeared before the Committee expressed concerns regarding the subject application relating to traffic, light, pollution, and neighbourhood character.

Committee asked questions of the agent who appeared before the Committee.

The Applicant agreed with the conditions requested by city and agency staff.

DECISION

Committee has taken into consideration correspondence received from 3 area residents and 1 residents who presented at the hearing.

The Committee, having considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, 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 conditions of Appendix A being fulfilled.

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

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

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.62m and a lot area of approximately 266.70sq.m.

Committee Decision dated at the City of Mississauga on December 13, 2018.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"J. ROBINSON"</u> J. ROBINSON (CHAIR)	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"D. REYNOLDS"</u> D. REYNOLDS
<u>"P. QUINN"</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on December 13, 2018.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

For a signed copy of this document
please call 905-615-3200 ext. 2408

or email

Committee.Adjustment@mississauga.ca

A copy of Section 53 of the Planning Act, as amended, is attached.

Date of Mailing: December 17, 2018

This decision is subject to appeal to the Local Planning Appeal Tribunal 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 **January 6, 2019**.

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 **December 17, 2019**.

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

Appendix A – Conditions of Provisional Consent

Appendix B – City and Agency comments that relate to items on Appendix A

Appendix A – Conditions of Provisional Consent

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. If any city department or external agency (e.g. Region of Peel, Conservation Authority, etc.) determines that an easement or right-of-way is required that was not included in the provisional approval it may be added prior to the final approval of the application.
To clear this condition please send an email indicating no easement/right-of-way is required or, if required, provide details of the easement/right-of-way and who requested it to Committee of Adjustment staff (email address committee.adjustment@mississauga.ca).
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Geospatial Solutions Division, indicating that satisfactory arrangements have been made with respect to any required address changes or assignments (905-615-3200 x5381).
5. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 23, 2018.
6. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 21, 2018.
7. A letter shall be received from Bell Canada indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated December 6, 2018.

Appendix B – City and Agency comments that relate to items on Appendix A

TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: November 23, 2018

Re: **Applicant:** **The Estate of Margaret Cunningham**
 Date of Hearing: **December 6, 2018**
 Location: **47 Broadview Avenue**
 Our File: **'B' 78/18 Ward 1 (Z-8)**

Should Committee see merit in the applicant's request we are providing the following conditions/requirements for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

The applicant's consulting engineer will be required to prepare an Overall Grading and Drainage Plan which contains sufficient details to ensure grading compatibility with the adjacent lands and submit the grading and drainage proposal to this department for review/approval.

2. Overall Site Servicing Plan

We request that the applicant submit a Site Servicing Plan prepared by a Consulting Engineer for this department's review/approval. The Site Servicing Plan is to confirm that all the necessary municipal services can be provided for the dwellings to be constructed on the subject lands.

3. Conceptual Site Plan Detailing Proposed Driveway Locations

The applicant will be required to provide for our review/approval a more detailed conceptual site plan which must include the location of all utilities on site as well as the proposed locations of the driveway entrances. We are advising that the proposed driveway location for the "Retained Lands" must be located to be as far removed from the intersection of Queen Street West and Broadview Avenue as possible.

GENERAL INFORMATION

1. Lot Grading and Drainage

Appendix B – City and Agency comments that relate to items on Appendix A

We advise the applicant that issuance of any building permits for the new dwelling(s) will be subject to the owner submitting a certified lot grading and drainage plan to this Department for review/approval. The grading and drainage plan is to contain sufficient detail to ensure grading compatibility with the adjacent properties. In addition, the owner will be required to submit the applicable lot grading and municipal services protection deposits.

2. Servicing

All costs incurred in providing any service laterals will be the responsibility of the owner. The owner will also be responsible for all costs incurred for the required road reinstatement (if required). If the service connections are to be installed by a private contractor retained by the owner, issuance of an open cut permit will be subject to the owner depositing adequate securities with the City to guarantee proper road reinstatement.

3. Access

We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

4. Storm Sewer Outlet

The applicant is advised that the storm sewer outlet for the subject lands is the existing 300mm storm sewer located on Broadview Avenue.

For further information regarding the above noted comments, please contact John Salvino at (905) 615-3200 ext. 5183 or john.salvino@mississauga.ca

D. Martin
Supervisor, Development Engineering South
905-615-3200, ext. 5833

Appendix B – City and Agency comments that relate to items on Appendix A

DATE: November 21, 2018

FILES: "B" 78/18

SUBJECT: CONSENT APPLICATION
47 BROADVIEW AVENUE
The ESTATE OF MARGARET CUNNINGHAM
WARD 1
DECEMBER 6, 2018 PUBLIC HEARING OF THE COMMITTEE OF ADJUSTMENT

The Park Planning Section of the Community Services Department has reviewed the above noted consent application, and advises as follows:

Should the application be approved, Community Services wishes to impose the following condition:

1. The applicant shall provide a cash contribution of \$535.82 for planting of one (1) street tree on Broadview Avenue. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

1. Payment of street tree contributions can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga.
2. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

Should further information be required, please contact Ibrahim Dia, Planner, Community Services Department at 905-615-3200 ext. 3108.

Appendix B – City and Agency comments that relate to items on Appendix A

Bell Canada
Right of Way
Floor 2, 140 Bayfield Street
Barrie, Ontario
L4M 3B1

Tel: 705-722-2264
Fax: 705-726-4600
E-mail: charleyne.hall@bell.ca

December 6, 2018

Mississauga Committee of Adjustment
300 City Center Drive
Mississauga, Ontario
L5B 3C1

E-mail only: committee.adjustment@mississauga.ca

Subject: Application for Consent B78/18
47 Broadview Avenue
Bell File: 905-18-454

We acknowledge receipt and thank you for your correspondence November 9, 2018.

Subsequent to review by our local engineering department, Bell Canada has identified that we require protection for existing rear-lot facilities.

Bell Canada requests a 3m wide strip measuring 1.5m on either side of the aerial installation to extend from the pole to a minimum of 1.5m past the anchor installation, measuring 0.5m on either side of the guywire installation, as reasonably permitted.

Since the easement is required in order to protect the integrity of the existing facilities and preserve service, all cost associated with the transaction is the responsibility of the landowner. Compensation should be set to the nominal amount of \$2.00 for the acquisition of these rights. Additionally, Bell Canada requires separate, registered postponements for any mortgages and certification of title.

We hope this proposal meets with your approval and request a copy of the decision. We look forward to the owner's solicitor contacting us with a draft reference plan and accompanying draft easement documents for our approval prior to registration, along with an acknowledgement and direction for our execution.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

Charleyne Hall
Right of Way Associate

Decision of the Mississauga Committee of Adjustment under
Section 53 of The Planning Act R.S.O. 1990, C.P.13, as amended.
Application by **LYNN MARIE & TERRANCE PATRICK DOVASTON**
for the property located at **51 BROADVIEW AVENUE**.
Date of Hearing on Thursday December 6, 2018
Date Decision Signed by the Committee December 13, 2018

The hearing commenced at approximately 1:30p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:36p.m.

APPLICATION DETAILS

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.62m (25.00ft) and a lot area of approximately 267.10sq.m (2,875.04sq.ft).

B. Oughtred, agent, attended and presented evidence in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated November 26, 2018)
- City of Mississauga, Transportation and Works Department (dated November 29, 2018)
- City of Mississauga, Community Services Department, Park Planning (dated November 21, 2018)
- City of Mississauga, Community Services Department, Culture Division (dated November 19, 2018)
- Region of Peel (dated November 1, 2018)
- Bell Canada, Right-of-Way (dated December 3, 2018)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from the following residents who objected to the subject application: 212 Queen Street West, 208 & 206 Queen Street West, and 44 Broadview Avenue.

The property owner of 206 & 208 Queen Street West appeared before the Committee expressed concerns regarding the subject application relating to traffic, light, pollution, and neighbourhood character.

Committee asked questions of the agent who appeared before the Committee.

The applicant asked Committee to amend the conditions requested by city and agency staff by removing the condition requested by the Culture Division. The Committee consented to the request.

DECISION

Committee has taken into consideration correspondence received from 3 area residents and 1 residents who presented at the hearing.

The Committee, having considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, 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 conditions of Appendix A being fulfilled.

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

MOVED BY: D. Geroje SECONDED BY: S. Patrizio CARRIED

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.62m and a lot area of approximately 267.10sq.m.

Committee Decision dated at the City of Mississauga on December 13, 2018.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"J. ROBINSON"</u> J. ROBINSON (CHAIR)	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"D. REYNOLDS"</u> D. REYNOLDS
<u>"P. QUINN"</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on December 13, 2018.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

For a signed copy of this document
please call 905-615-3200 ext. 2408
or email

Committee.Adjustment@mississauga.ca

A copy of Section 53 of the Planning Act, as amended, is attached.

Date of Mailing: December 17, 2018

This decision is subject to appeal to the Local Planning Appeal Tribunal 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 **January 6, 2019**.

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 December 17, 2019.

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

Appendix A – Conditions of Provisional Consent

Appendix B – City and Agency comments that relate to items on Appendix A

Appendix A – Conditions of Provisional Consent

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. If any city department or external agency (e.g. Region of Peel, Conservation Authority, etc.) determines that an easement or right-of-way is required that was not included in the provisional approval it may be added prior to the final approval of the application.
To clear this condition please send an email indicating no easement/right-of-way is required or, if required, provide details of the easement/right-of-way and who requested it to Committee of Adjustment staff (email address committee.adjustment@mississauga.ca).
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Geospatial Solutions Division, indicating that satisfactory arrangements have been made with respect to any required address changes or assignments (905-615-3200 x5381).
5. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 23, 2018.
6. A letter shall be received from the City of Mississauga, Community Services Department, Parks Planning Section, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 21, 2018.
7. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 23, 2018.

Appendix B – City and Agency comments that relate to items on Appendix A

TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: November 23, 2018

Re: **Applicant:** **Lynn Marie & Terrance Patrick Dovaston**
 Date of Hearing: **December 6, 2018**
 Location: **47 Broadview Avenue**
 Our File: **'B' 79/18 Ward 1 (Z-8)**

Should Committee see merit in the applicant's request we are providing the following conditions/requirements for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

The applicant's consulting engineer will be required to prepare an Overall Grading and Drainage Plan which contains sufficient details to ensure grading compatibility with the adjacent lands and submit the grading and drainage proposal to this department for review/approval.

2. Overall Site Servicing Plan

We request that the applicant submit a Site Servicing Plan prepared by a Consulting Engineer for this department's review/approval. The Site Servicing Plan is to confirm that all the necessary municipal services can be provided for the dwellings to be constructed on the subject lands.

3. Conceptual Site Plan Detailing Proposed Driveway Locations

The applicant will be required to provide for our review/approval a more detailed conceptual site plan which must include the location of all utilities on site as well as the proposed locations of the driveway entrances.

GENERAL INFORMATION

1. Lot Grading and Drainage

Appendix B – City and Agency comments that relate to items on Appendix A

We advise the applicant that issuance of any building permits for the new dwelling(s) will be subject to the owner submitting a certified lot grading and drainage plan to this Department for review/approval. The grading and drainage plan is to contain sufficient detail to ensure grading compatibility with the adjacent properties. In addition, the owner will be required to submit the applicable lot grading and municipal services protection deposits.

2. Servicing

All costs incurred in providing any service laterals will be the responsibility of the owner. The owner will also be responsible for all costs incurred for the required road reinstatement (if required). If the service connections are to be installed by a private contractor retained by the owner, issuance of an open cut permit will be subject to the owner depositing adequate securities with the City to guarantee proper road reinstatement.

3. Access

We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

4. Storm Sewer Outlet

The applicant is advised that the storm sewer outlet for the subject lands is the existing 300mm storm sewer located on Broadview Avenue.

For further information regarding the above noted comments, please contact John Salvino at (905) 615-3200 ext. 5183 or john.salvino@mississauga.ca

D. Martin
Supervisor, Development Engineering South
905-615-3200, ext. 5833

Appendix B – City and Agency comments that relate to items on Appendix A

DATE: November 21, 2018

FILES: "B" 79/18

SUBJECT: CONSENT APPLICATION
51 BROADVIEW AVENUE
LYNN MARIE & TERRANCE PATRICK DOVASTON
WARD 1
DECEMBER 6, 2018 PUBLIC HEARING OF THE COMMITTEE OF ADJUSTMENT

The Park Planning Section of the Community Services Department has reviewed the above noted consent application, and advises as follows:

1. The applicant shall provide a cash contribution of \$535.82 for planting of one (1) street tree on Broadview Avenue. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

Additionally, City of Mississauga Forestry Staff have attended the site and identified the following City owned tree within the municipal boulevard:

- two (2) Eastern White Cedars

Given that a development proposal was not submitted with the proposed lands to be severed, and considering that the property is not subject to site plan control, should the application be approved, Community Services wishes to impose the following condition:

2. The applicant shall provide tree protection securities in the amount of \$3260 for the above noted trees.

In addition, Community Services notes the following:

1. Payment of tree preservation securities and street tree contributions can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga.
2. Please be advised that securities may be held for up to two years, as determined by City of Mississauga Forestry Staff.
3. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

Should further information be required, please contact Ibrahim Dia, Planner, Community Services Department at 905-615-3200 ext. 3108.

Appendix B – City and Agency comments that relate to items on Appendix A

November 23rd, 2018

Sean Kenney, Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments
City of Mississauga Committee of Adjustment Hearing
December 6th, 2018**

Consent Application: B-079/18

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

For location of existing water and sanitary sewer Infrastructure please contact Records at 905-791-7800 extension 7882 or by e-mail at PWSserviceRequests@peelregion.ca

Conditions: Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 8047 or by email at tracy.tang@peelregion.ca

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

Decision of the Mississauga Committee of Adjustment under
Section 53 of The Planning Act R.S.O. 1990, C.P.13, as amended.
Application by **MOHAMMAD SHARIF HASHMANI & ARSALAN HASHMANI**
for the property located at **768 MONTBECK CRESCENT**.
Date of Hearing on Thursday December 6, 2018
Date Decision Signed by the Committee December 13, 2018

The hearing commenced at approximately 1:30p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:05p.m.

APPLICATION DETAILS

The applicants request the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 10.25m (33.63ft) and an area of approximately 510.98sq.m (5,500.14sq.ft).

B. Oughtred, agent, attended and presented evidence in support of the application. He indicated the application had previously lapsed and they are looking to have it re-approved.

BACKGROUND

On October 25, 2018, B. Oughtred, agent, attended and requested to defer the application to submit associated minor variance applications.

The Committee consented to the request and deferred the application to the December 6th, 2018 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated October 12, 2018)
- City of Mississauga, Transportation and Works Department (dated October 12, 2018)
- City of Mississauga, Community Services Department, Park Planning (dated October 12, 2018)
- City of Mississauga, Community Services Department, Culture Division (dated October 12, 2018)
- Region of Peel (dated October 15, 2018)
- Bell Canada, Right-of-Way (dated October 22, 2018)
- A letter of objection was received from the residents of 722 Byngmount Avenue.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated November 26, 2018)
- City of Mississauga, Transportation and Works Department (dated November 29, 2018)
- City of Mississauga, Community Services Department, Park Planning (dated November 21, 2018)
- Region of Peel (dated November 23, 2018)

CORRESPONDENCE & DISCUSSION

No resident comments were received as a result of this public circulation of this application.

Committee asked questions of the agent who appeared before the Committee regarding the changes to the Site Plan.

The resident of 722 Byngmount Avenue appeared before the Committee and expressed concerns relating to the protection of the tree.

Mr. S. Kenney, Secretary-Treasurer, suggested a condition could be added to the applications to ensure the appropriate provincial permits are acquired relating to the tree.

The applicant asked Committee to amend the conditions requested by city and agency staff by removing the condition requested by the Culture Division. The Committee consented to the request.

DECISION

Committee has taken into consideration correspondence received from 1 area resident and 1 resident who presented at the hearing.

The Committee, having considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, 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 conditions of Appendix A being fulfilled.

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

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

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

The applicants request the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 10.25m and an area of approximately 510.98sq.m.

Committee Decision dated at the City of Mississauga on December 13, 2018.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"J. ROBINSON"</u> J. ROBINSON (CHAIR)	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"D. REYNOLDS"</u> D. REYNOLDS
<u>"P. QUINN"</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on December 13, 2018.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

For a signed copy of this document
please call 905-615-3200 ext. 2408
or email

Committee.Adjustment@mississauga.ca

A copy of Section 53 of the Planning Act, as amended, is attached.

Date of Mailing: December 17, 2018

This decision is subject to appeal to the Local Planning Appeal Tribunal 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 **January 6, 2019**.

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 December 17, 2019.

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

Appendix A – Conditions of Provisional Consent

Appendix B – City and Agency comments that relate to items on Appendix A

Appendix A – Conditions of Provisional Consent

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. If any city department or external agency (e.g. Region of Peel, Conservation Authority, etc.) determines that an easement or right-of-way is required that was not included in the provisional approval it may be added prior to the final approval of the application.
To clear this condition please send an email indicating no easement/right-of-way is required or, if required, provide details of the easement/right-of-way and who requested it to Committee of Adjustment staff (email address committee.adjustment@mississauga.ca).
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A"404/18 & "A"405/18)
4. A letter shall be received from the City of Mississauga, Geospatial Solutions Division, indicating that satisfactory arrangements have been made with respect to any required address changes or assignments (905-615-3200 x5381).
5. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 23, 2018.
6. A letter shall be received from the City of Mississauga, Community Services Department, Parks Planning Section, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated October 12, 2018.
7. The applicant shall obtain any necessary approvals from the Province of Ontario regarding the tree on the adjacent property. Clearance from the Province must be submitted to the Committee of Adjustment Office.

Appendix B – City and Agency comments that relate to items on Appendix A

TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: November 23, 2018

RE: **Applicant:** Mohammad Sharif Hashmani & Arsalan Hashmani
Date of Hearing: December 6, 2018
Location: 768 Montbeck Cres
Our File: 'B' 71/18, Ward 1 (Z-7)

Should Committee see merit in the applicant's request we are providing the following conditions/requirements for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

The applicant's consulting engineer will be required to prepare an Overall Grading and Drainage Plan which contains sufficient details to ensure grading compatibility with the adjacent lands and submit the grading and drainage proposal to this department for review/approval.

Upon the review of an Overall Grading and Drainage Plan it may be determined that a catch basin may be required and satisfactory arrangements will have to be made for the construction of any required catch basin.

B. General Information

1. Lot Grading and Drainage

We advise the applicant that issuance of any building permits for the new dwelling(s) will be subject to the owner submitting a certified lot grading and drainage plan to this Department for review/approval. The grading and drainage plan is to contain sufficient detail to ensure grading compatibility with the adjacent properties. In addition, the owner will be required to submit the applicable lot grading and municipal services protection deposits.

2. Servicing

All costs incurred in providing any service laterals will be the responsibility of the owner. The owner will also be responsible for all costs incurred for the required road

Appendix B – City and Agency comments that relate to items on Appendix A

reinstatement (if required). If the service connections are to be installed by a private contractor retained by the owner, issuance of an open cut permit will be subject to the owner depositing adequate securities with the City to guarantee proper road reinstatement.

3. Access

We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

4. Storm Sewer Outlet

The storm sewer outlet for the subject lands is the existing 600mm storm sewer on Montbeck Crescent.

For further information regarding the above noted comments, please contact John Salvino at (905) 615-3200 ext. 5183 or john.salvino@mississauga.ca

D. Martin
Supervisor, Development Engineering South
905-615-3200, ext. 5833

Appendix B – City and Agency comments that relate to items on Appendix A

DATE: October 12th, 2018

FILES: "B" 71/18

SUBJECT: CONSENT APPLICATION
768 Montbeck Crescent
Mohammad Sharif Hashmani & Arsalan Hashmani
WARD 1
October 25th, 2018 PUBLIC HEARING OF THE COMMITTEE OF ADJUSTMENT

The Park Planning Section of the Community Services Department has reviewed the above noted consent application, and advises as follows:

Should the application be approved, Community Services wishes to impose the following condition:

1. The applicant shall provide a cash contribution of \$535.82 for planting of one (1) street tree on Montbeck Crescent. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

1. Payment of street tree contributions can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga.
2. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

Should further information be required, please contact Ibrahim Dia, Planner, Community Services Department at 905-615-3200 ext. 3108.

Decision of the Mississauga Committee of Adjustment under
Section 45(1) OR (2) of The Planning Act R.S.O. 1990, c.P.13, as amended.
Application by **MOHAMMAD SHARIF HASHMANI & ARSALAN HASHMANI** for the property located
at **768 MONTBECK CRESCENT**.

Date of Hearing on Thursday December 6, 2018
Date Decision Signed by the Committee December 13, 2018

The hearing commenced at approximately 1:30p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:05p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow the construction of a new house on the subject property, being the severed lands from Consent file B71/18, proposing:

1. A lot frontage of 10.25m (approx. 33.63ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
2. A lot area of 510.98sq.m (approx. 5,500.14sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5,920.15sq.ft) in this instance; and
3. A northerly side yard of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum southerly side yard of 1.81m (approx. 5.93ft) for the 2nd storey in this instance.

B. Oughtred, agent, attended and presented evidence in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated November 26, 2018)
- City of Mississauga, Transportation and Works Department (dated November 29, 2018)
- Region of Peel (dated November 23, 2018)

CORRESPONDENCE & DISCUSSION

No resident comments were received as a result of the public circulation of this application.

Committee asked questions of the agent who appeared before the Committee regarding the changes to the Site Plan.

The resident of 722 Byngmount Avenue appeared before the Committee and expressed concerns relating to the protection of the tree.

Mr. S. Kenney, Secretary-Treasurer, suggested a condition could be added to the applications to ensure the appropriate provincial permits are acquired relating to the tree.

DECISION

Committee has taken into consideration 1 resident who presented at the hearing and all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and find that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

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

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITION:

To allow the construction of a new house on the subject property, being the severed lands from Consent file B71/18, proposing:

1. A lot frontage of 10.25m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m in this instance;
2. A lot area of 510.98sq.m whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m in this instance; and
3. A northerly side yard of 1.20m whereas By-law 0225-2007, as amended, requires a minimum southerly side yard of 1.81m for the 2nd storey in this instance.

CONDITION(S):

1. Construction related to this variance shall be in general conformance with the Site Plan approved by the Committee.

Committee Decision dated at the City of Mississauga on December 13, 2018.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"J. ROBINSON"</u> J. ROBINSON (CHAIR)	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"D. REYNOLDS"</u> D. REYNOLDS
<u>"P. QUINN"</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on December 13, 2018.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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or email

Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal 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 **January 2, 2019**.

NOTES:

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

Decision of the Mississauga Committee of Adjustment under
Section 45(1) OR (2) of The Planning Act R.S.O. 1990, c.P.13, as amended.
Application by **MOHAMMAD SHARIF HASHMANI & ARSALAN HASHMANI** for the property located
at **768 MONTBECK CRESCENT**.

Date of Hearing on Thursday December 6, 2018
Date Decision Signed by the Committee December 13, 2018

The hearing commenced at approximately 1:30p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:05p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow the construction of a new house on the subject property, being the retained lands from Consent file B71/18, proposing:

1. A lot frontage of 10.25m (approx. 33.63ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
2. A lot area of 491.27sq.m (approx. 5,287.99sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5,920.15sq.ft) in this instance; and
3. A southerly side yard of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum southerly side yard of 1.81m (approx. 5.93ft) for the 2nd storey in this instance.

B. Oughtred, agent, attended and presented evidence in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated November 26, 2018)
- City of Mississauga, Transportation and Works Department (dated November 29, 2018)
- Region of Peel (dated November 23, 2018)

CORRESPONDENCE & DISCUSSION

No resident comments were received as a result of the public circulation of this application.

Committee asked questions of the agent who appeared before the Committee regarding the changes to the Site Plan.

The resident of 722 Byngmount Avenue appeared before the Committee and expressed concerns relating to the protection of the tree.

Mr. S. Kenney, Secretary-Treasurer, suggested a condition could be added to the applications to ensure the appropriate provincial permits are acquired relating to the tree.

DECISION

Committee has taken into consideration 1 resident who presented at the hearing and all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and find that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

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

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITION:

To allow the construction of a new house on the subject property, being the retained lands from Consent file B71/18, proposing:

1. A lot frontage of 10.25m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m in this instance;
2. A lot area of 491.27sq.m whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m in this instance; and
3. A southerly side yard of 1.20m whereas By-law 0225-2007, as amended, requires a minimum southerly side yard of 1.81m for the 2nd storey in this instance.

CONDITION(S):

1. Construction related to this variance shall be in general conformance with the Site Plan approved by the Committee.

Committee Decision dated at the City of Mississauga on December 13, 2018.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"J. ROBINSON"</u> J. ROBINSON (CHAIR)	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"D. REYNOLDS"</u> D. REYNOLDS
<u>"P. QUINN"</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on December 13, 2018.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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please call 905-615-3200 ext. 2408
or email

Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal 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 **January 2, 2019**.

NOTES:

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

Decision of the Mississauga Committee of Adjustment under
Section 45(1) OR (2) of The Planning Act R.S.O. 1990, c.P.13, as amended.
Application by **GHUFRAN ALABID** for the property located at **4147 INDEPENDENCE AVENUE**.
Date of Hearing on Thursday December 6, 2018
Date Decision Signed by the Committee December 13, 2018

The hearing commenced at approximately 1:30p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:28p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow a garage with an unobstructed area for parking of 2.75m x 4.60m x 2.00m (approx. 9.02ft x 15.09ft x 6.56ft) whereas By-law 0225-2007, as amended, requires a minimum unobstructed area for parking of 2.75m x 5.20m x 2.00m (approx. 9.02ft x 17.06ft x 6.56ft) in this instance.

R. Al-Rawi, agent, attended and presented evidence in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated November 26, 2018)
- City of Mississauga, Transportation and Works Department (dated November 29, 2018)
- Region of Peel (dated November 23, 2018)

CORRESPONDENCE & DISCUSSION

No resident comments were received as a result of the public circulation of this application.

Committee asked questions of the agent who appeared before the Committee.

DECISION

Committee has taken into consideration all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and find that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

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

The Decision of the Committee is:

APPLICATION APPROVED:

To allow a garage with an unobstructed area for parking of 2.75m x 4.60m x 2.00m whereas By-law 0225-2007, as amended, requires a minimum unobstructed area for parking of 2.75m x 5.20m x 2.00m in this instance.

Committee Decision dated at the City of Mississauga on December 13, 2018.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"J. ROBINSON"</u> J. ROBINSON (CHAIR)	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"D. REYNOLDS"</u> D. REYNOLDS
<u>"P. QUINN"</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on December 13, 2018.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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please call 905-615-3200 ext. 2408
or email

Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal 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 **January 2, 2019**.

NOTES:

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

Decision of the Mississauga Committee of Adjustment under
Section 45(1) OR (2) of The Planning Act R.S.O. 1990, c.P.13, as amended.
Application by **HARDESH MARWAHA** for the property located at **168 FAIRVIEW ROAD WEST**.
Date of Hearing on Thursday December 6, 2018
Date Decision Signed by the Committee December 13, 2018

The hearing commenced at approximately 1:30p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:30p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow a circular driveway on the subject property proposing:

1. A circular driveway on a lot with a frontage of 19.46m (approx. 63.85ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) for a circular driveway in this instance;
2. A driveway width of 8.50m (approx. 27.88ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance;
3. A circular driveway covering 55.31% of the front yard whereas By-law 0225-2007, as amended, permits a circular driveway to cover a maximum of 50.00% of the front yard in this instance; and
4. Two walkway attachments whereas By-law 0225-2007, as amended, permits a maximum of one walkway attachment in this instance.

R. Kossak, agent, attended and presented evidence in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated November 26, 2018)
- City of Mississauga, Transportation and Works Department (dated November 29, 2018)
- Region of Peel (dated November 23, 2018)

CORRESPONDENCE & DISCUSSION

No resident comments were received as a result of the public circulation of this application.

Committee asked questions of the agent who appeared before the Committee.

DECISION

Committee has taken into consideration all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and find that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

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

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITION:

To allow a circular driveway on the subject property proposing:

1. A circular driveway on a lot with a frontage of 19.46m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m for a circular driveway in this instance;
2. A driveway width of 8.50m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m in this instance;
3. A circular driveway covering 55.31% of the front yard whereas By-law 0225-2007, as amended, permits a circular driveway to cover a maximum of 50.00% of the front yard in this instance; and
4. Two walkway attachments whereas By-law 0225-2007, as amended, permits a maximum of one walkway attachment in this instance.

CONDITION(S):

1. A minimum separation distance of 5.2m shall be provided between the driveway entrances.

Committee Decision dated at the City of Mississauga on December 13, 2018.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>DISSENTED</u> D. GEORGE
<u>"J. ROBINSON"</u> J. ROBINSON (CHAIR)	<u>DISSENTED</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"D. REYNOLDS"</u> D. REYNOLDS
<u>DISSENTED</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on December 13, 2018.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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or email

Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal 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 **January 2, 2019**.

NOTES:

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

Decision of the Mississauga Committee of Adjustment under
Section 45(1) OR (2) of The Planning Act R.S.O. 1990, c.P.13, as amended.
Application by **ERIN MILLS COMMERCIAL CENTRE LIMITED**
for the property located at **3600 EGLINTON AVENUE WEST**.
Date of Hearing on Thursday December 6, 2018
Date Decision Signed by the Committee December 13, 2018

The hearing commenced at approximately 1:30p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:35p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the construction of a mixed use development on the subject property proposing 893 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 984 parking spaces in this instance.

J. Thibault, agent, attended and presented evidence in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated November 26, 2018)
- City of Mississauga, Transportation and Works Department (dated November 29, 2018)
- Region of Peel (dated November 23, 2018)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from the resident of 3897 Eglinton Avenue West stating an objection to the subject application.

Committee asked questions of the agent who appeared before the Committee.

DECISION

Committee has taken into consideration correspondence received from 1 area resident and all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and find that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

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

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITION:

To allow the construction of a mixed use development on the subject property proposing 893 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 984 parking spaces in this instance.

CONDITION(S):

1. Medical office, restaurant/take out/convenience restaurant, banquet hall/convention centre/conference centre, funeral establishment, and nightclub uses shall not exceed a maximum total gross floor area of 9,738 m² (or 50% of the total GFA for the site).

Committee Decision dated at the City of Mississauga on December 13, 2018.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"J. ROBINSON"</u> J. ROBINSON (CHAIR)	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"D. REYNOLDS"</u> D. REYNOLDS
<u>"P. QUINN"</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on December 13, 2018.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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please call 905-615-3200 ext. 2408
or email

Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal 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 **January 2, 2019**.

NOTES:

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

Decision of the Mississauga Committee of Adjustment under
Section 45(1) OR (2) of The Planning Act R.S.O. 1990, c.P.13, as amended.
Application by **HUSAM GAGO & MUNIA BADI** for the property located at **3415 JOAN DRIVE**.
Date of Hearing on Thursday December 6, 2018
Date Decision Signed by the Committee December 13, 2018

The hearing commenced at approximately 1:30p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:45p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow a circular driveway on a lot with a frontage of 18.29m (approx. 60.00ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) for a circular driveway in this instance.

M. Khalil, agent, attended and presented evidence in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated November 26, 2018)
- City of Mississauga, Transportation and Works Department (dated November 29, 2018)
- City of Mississauga, Community Services Department, Park Planning (dated November 21, 2018)
- Region of Peel (dated November 23, 2018)

CORRESPONDENCE & DISCUSSION

No resident comments were received as a result of the public circulation of this application.

Committee asked questions of the agent who appeared before the Committee.

DECISION

Committee has taken into consideration all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and find that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

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

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITION:

To allow a circular driveway on a lot with a frontage of 18.29m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m for a circular driveway in this instance.

CONDITION(S):

1. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 21, 2018.

Committee Decision dated at the City of Mississauga on December 13, 2018.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"J. ROBINSON"</u> J. ROBINSON (CHAIR)	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"D. REYNOLDS"</u> D. REYNOLDS
<u>"P. QUINN"</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on December 13, 2018.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

For a signed copy of this document
please call 905-615-3200 ext. 2408
or email

Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal 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 **January 2, 2019**.

NOTES:

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

Decision of the Mississauga Committee of Adjustment under
Section 45(1) OR (2) of The Planning Act R.S.O. 1990, c.P.13, as amended.
Application by **KINGSMEN (LAKESHORE) INC.** for the property located at

0 LAKESHORE ROAD EAST & 1077 ENOLA AVENUE.

Date of Hearing on Thursday December 6, 2018

Date Decision Signed by the Committee December 13, 2018

The hearing commenced at approximately 1:30p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:50p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the construction of residential buildings on the subject property proposing:

1. 359 resident parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 380 resident parking spaces in this instance;
2. Stairs projecting 2.10m (approx. 6.89ft) into the non-buildable area whereas By-law 0225-2007, as amended, does not permit any structures in the non-buildable area in this instance;
3. Multiple canopies projecting 0.80m (approx. 2.62ft) into the non-buildable area whereas By-law 0225-2007, as amended, does not permit any structures in the non-buildable area in this instance;
4. An electrical room projecting 2.60m (approx. 8.53ft) into the non-buildable area whereas By-law 0225-2007, as amended, does not permit any structures in the non-buildable area in this instance;
5. Entry feature structures located outside the buildable area whereas By-law 0225-2007, as amended, does not permit any structures in the non-buildable area in this instance;
6. A setback to 0.0m from all exterior edges of a building to a rooftop balcony or terrace whereas By-law 0225-2007, as amended, requires rooftop balconies to be setback a minimum of 1.20m (approx. 3.93ft) from the exterior edge of any building or structure;
7. To permit an acoustic barrier and sidewalk in a landscaped buffer area whereas By-law 0225-2007, as amended, does not permit an acoustic barrier and a sidewalk in a landscaped buffer area in this instance;
8. Three pergolas whereas By-law 0225-2007, as amended, permits a maximum of one pergola in this instance;
9. Two shade structures whereas By-law 0225-2007, as amended, permits a maximum of one shade structure in this instance;
10. An occupied area of 20.00sq.m (approx. 215.27sq.ft) for a pergola whereas By-law 0225-2007, as amended, permits a maximum occupied area of 10.00sq.m (approx. 107.64sq.ft) for a pergola in this instance;
11. An occupied area of 25.00sq.m (approx. 269.10sq.ft) for a pergola whereas By-law 0225-2007, as amended, permits a maximum occupied area of 10.00sq.m (approx. 107.64sq.ft) for a pergola in this instance;
12. An occupied area of 14.00sq.m (approx. 150.69sq.ft) for a pergola whereas By-law 0225-2007, as amended, permits a maximum occupied area of 10.00sq.m (approx. 107.64sq.ft) for a pergola in this instance;



13. An occupied area of 40.00sq.m (approx. 430.56sq.ft) for a shade structure whereas By-law 0225-2007, as amended, permits a maximum occupied area of 10.00sq.m (approx. 107.64sq.ft) for a shade structure in this instance;
14. An occupied area of 30.00sq.m (approx. 322.92sq.ft) for a shade structure whereas By-law 0225-2007, as amended, permits a maximum occupied area of 10.00sq.m (approx. 107.64sq.ft) for a shade structure in this instance; and
15. A height of 5.00m (approx. 16.40ft) for two shade structures whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (approx. 9.84sq.ft) for a shade structure in this instance.

M. Luchich, agent, attended and presented evidence in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated November 29, 2018)
- City of Mississauga, Transportation and Works Department (dated November 29, 2018)
- Region of Peel (dated November 23, 2018)
- Credit Valley Conservation (dated November 9, 2018)

CORRESPONDENCE & DISCUSSION

No resident comments were received as a result of the public circulation of this application.

Committee asked questions of the agent who appeared before the Committee.

DECISION

Committee has taken into consideration all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and find that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

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

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITIONS:

To allow the construction of residential buildings on the subject property proposing:

1. 359 resident parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 380 resident parking spaces in this instance;
2. Stairs projecting 2.10m into the non-buildable area whereas By-law 0225-2007, as amended, does not permit any structures in the non-buildable area in this instance;
3. Multiple canopies projecting 0.80m into the non-buildable area whereas By-law 0225-2007, as amended, does not permit any structures in the non-buildable area in this instance;
4. An electrical room projecting 2.60m into the non-buildable area whereas By-law 0225-2007, as amended, does not permit any structures in the non-buildable area in this instance;
5. Entry feature structures located outside the buildable area whereas By-law 0225-2007, as amended, does not permit any structures in the non-buildable area in this instance;
6. A setback to 0.0m from all exterior edges of a building to a rooftop balcony or terrace whereas By-law 0225-2007, as amended, requires rooftop balconies to be setback a minimum of 1.20m from the exterior edge of any building or structure;
7. To permit an acoustic barrier and sidewalk in a landscaped buffer area whereas By-law 0225-2007, as amended, does not permit an acoustic barrier and a sidewalk in a landscaped buffer area in this instance;
8. Three pergolas whereas By-law 0225-2007, as amended, permits a maximum of one pergola in this instance;
9. Two shade structures whereas By-law 0225-2007, as amended, permits a maximum of one shade structure in this instance;
10. An occupied area of 20.00sq.m for a pergola whereas By-law 0225-2007, as amended, permits a maximum occupied area of 10.00sq.m for a pergola in this instance;
11. An occupied area of 25.00sq.m for a pergola whereas By-law 0225-2007, as amended, permits a maximum occupied area of 10.00sq.m for a pergola in this instance;
12. An occupied area of 14.00sq.m for a pergola whereas By-law 0225-2007, as amended, permits a maximum occupied area of 10.00sq.m for a pergola in this instance;
13. An occupied area of 40.00sq.m for a shade structure whereas By-law 0225-2007, as amended, permits a maximum occupied area of 10.00sq.m for a shade structure in this instance;
14. An occupied area of 30.00sq.m for a shade structure whereas By-law 0225-2007, as amended, permits a maximum occupied area of 10.00sq.m for a shade structure in this instance; and
15. A height of 5.00m for two shade structures whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m for a shade structure in this instance.

CONDITION(S):

1. The applicant shall provide a written clearance from the Region of Peel indicating that a revision to the Site Plan dated October 26, 2018 indicating regional easements has been received to the satisfaction of the Region of Peel.

Committee Decision dated at the City of Mississauga on December 13, 2018.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"J. ROBINSON"</u> J. ROBINSON (CHAIR)	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"D. REYNOLDS"</u> D. REYNOLDS
<u>"P. QUINN"</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on December 13, 2018.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal 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 **January 2, 2019**.

NOTES:

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

Decision of the Mississauga Committee of Adjustment under
Section 45(1) OR (2) of The Planning Act R.S.O. 1990, c.P.13, as amended.
Application by **DAVID HAMMOND & DEBRANI GHOSH** for the property located at
1525 POINT-O-WOODS ROAD.

Date of Hearing on Thursday December 6, 2018
Date Decision Signed by the Committee December 13, 2018

The hearing commenced at approximately 1:30p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:05p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow the construction of an accessory structure on the subject property proposing:

1. A side yard of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.93ft) in this instance; and
2. A rear yard of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 1.20m (approx. 3.93ft) in this instance.

D. Hammond, co-owner of the property, attended and presented evidence in support of the application. He indicated that a variance had been missed in the previous application for the same shed.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated November 26, 2018)
- City of Mississauga, Transportation and Works Department (dated November 29, 2018)
- Region of Peel (dated November 23, 2018)

CORRESPONDENCE & DISCUSSION

No resident comments were received as a result of the public circulation of this application.

Committee asked questions of the owner who appeared before the Committee relating to water drainage.

DECISION

Committee has taken into consideration all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and find that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

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

The Decision of the Committee is:

APPLICATION APPROVED:

to allow the construction of an accessory structure on the subject property proposing:

1. A side yard of 0.61m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m in this instance; and
2. A rear yard of 0.61m whereas By-law 0225-2007, as amended, requires a minimum rear yard of 1.20m in this instance.

Committee Decision dated at the City of Mississauga on December 13, 2018.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"J. ROBINSON"</u> J. ROBINSON (CHAIR)	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"D. REYNOLDS"</u> D. REYNOLDS
<u>"P. QUINN"</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on December 13, 2018.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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

This decision is subject to appeal to the Local Planning Appeal Tribunal 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 **January 2, 2019**.

NOTES:

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