

**COMMITTEE OF ADJUSTMENT
RESULTS**



Location: COUNCIL CHAMBER
Hearing: FEBRUARY 14, 2019 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				
<u>NEW APPLICATIONS - (CONSENT)</u>				
B-012/19 A-046/19 A-047/19	HOA THI LE TRAN	1092 ELLA AVE	1	Approved (AC) Approved Approved (AA, AC)
B-014/19 A-052/19 A-053/19	TY NAEMSCH	612 CURZON AVE	1	Approved (AC) Approved (AA) Approved (AA)
B-015/19 A-054/19	TMHCK HOLDING CO.	618 CURZON AVE	1	Approved (AC) Approved (AA, AC)
<u>DEFERRED APPLICATIONS - (CONSENT)</u>				
B-080/18 A-440/18 A-441/18	USMAN MUHAMMAD SYED & SHAIESTA MAQBOOZ	7615 NETHERWOOD RD	5	Refused Refused Refused
<u>NEW APPLICATIONS - (MINOR VARIANCE)</u>				
A-043/19	AMIR REHMANI & NAGINA AMIR	585 MONTBECK CRES	1	Approved
A-049/19	KASMANI MUHAMMAD HUSSEIN, KASMANI MOHAMMAD SHAFI	6347 ALDERWOOD TR	10	Approved (AA)
A-050/19	KONSTANTIN GUSAKOV, ELENA GUSAKOVA	1037 EDGELEIGH AVE	1	Approved (ACP)
A-051/19	ASIF SALEJI	3135 CHURCHILL AVE	5	D (Apr 25)
A-055/19	PINA & MIKE KLEMENS	2145 HAYGATE CRES	2	Approved (AA)
A-056/19	DANIELS HR CORPORATION	2520 & 2530 EGLINTON AVE W	8	Approved (AC)
A-057/19	GUILHERME AUGUSTO BLANCO & SARA VEIGA	2230 WISEMAN CRT	2	Approved (AA)
A-058/19	DANIELLA STERN	886 NINTH ST	1	D (Apr 4)
A-059/19	LORI SMITH	1778 FELLEN PL	2	Approved (ACP)
<u>DEFERRED APPLICATIONS - (MINOR VARIANCE)</u>				
A-406/18	2312651 ONTARIO INC	3417 DERRY RD E	5	Approved (AC)

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 **HOA THI LE TRAN** for the property located at **1092 ELLA AVENUE**.
Date of Hearing on Thursday February 14, 2019
Date Decision Signed by the Committee February 21, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:32p.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 9.52m (31.23ft) and an area of approximately 318.49sq.m (3,428.20sq.ft).

F. Romano, 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 February 5, 2019)
- City of Mississauga, Transportation and Works Department (dated February 1, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated January 30, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated January 31, 2019)
- Region of Peel (dated January 24, 2019)
- Credit Valley Conservation (dated January 8, 2019)
- Bell Canada, Right-of-Way (dated January 23, 2019).

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A petition of objection was received signed by 8 area residents.

Committee asked questions of the agent who appeared be for the Committee regarding the positioning of the dwellings and the previous approval.

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

DECISION

Committee has taken into consideration a petition received from area residents.

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 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 9.52m and an area of approximately 318.49sq.m.

Committee Decision dated at the City of Mississauga on February 21, 2019.

<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>ABSENT</u> D. REYNOLDS
<u>ABSENT</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on February 21, 2019.

"S. KENNEY"

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

SEAN KENNEY - SECRETARY-
TREASURER

Committee.Adjustment@mississauga.ca

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

Date of Mailing: February 25, 2019

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 **March 17, 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 February 25, 2020.

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"46/19 & "A"47/19)
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 February 1, 2019.
5. 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 January 31, 2019.
6. A letter shall be received from the City of Mississauga, Community Services Department, Culture Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated January 30, 2019.

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: February 1, 2019

Re: **Applicant:** Ho Thi Le Tran
 Date of Hearing: February 14, 2019
 Location: 1092 Ella Avenue
 Our File: 'B' 12/19 Ward 1 (Z-6)

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 Depicting Driveway Locations

A Conceptual Site Plan depicting the site specific access configurations is to be submitted for our department's review/approval. It should also be acknowledged that any costs incurred for the construction of any new access or relocation of any access points or existing utilities will be the responsibility of the applicant/owner.

4. Municipal Address Requirement

Prior to the issuance of final consent, satisfactory arrangements are to be made with Corporate Services Department, Information Technology Division, Digital Services & Mobility Section, Geospatial Solutions Group for the creation of new municipal



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

addresses for the severed and retained lands. For further information, please contact Susie Tasca at (905) 615-3200 ext. 3088 or susie.tasca@mississauga.ca

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 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 675mm storm sewer located on Ella 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: January 31, 2019

FILES: "B" 12/19

SUBJECT: CONSENT APPLICATION
1092 ELLA AVENUE
HOA THI LE TRAN
WARD 1

FEBRUARY 14, 2019 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 \$574.50 for planting of one (1) street tree on Ella 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

Date: 2019/01/30

To: Chair, Committee of Adjustment
S. Kenney, Secretary-Treasurer, Committee of Adjustment

From: Brooke Herczeg, Heritage Analyst
Culture Division, Community Services

Meeting Date: 2019/02/14

Subject: "B" 012/19 (Ward 1)
"A" 046/19
"A" 047/19
Consent
1092 Ella Ave.
Hoa Thi Le Tran

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. The proponent shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal and documenting, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Tourism, Culture and Sport confirming that all archaeological resource concerns have met licensing and resource conservation requirements. Letters to this effect from said Ministry corresponding to each archaeological assessment report and activity are required to be submitted to the Culture Division for review.

Brooke Herczeg, Heritage Analyst
T: 905-615-3200 x 4061
Brooke.herczeg@mississauga.ca

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 **HOA THI LE TRAN** for the property located at **1092 ELLA AVENUE**.
Date of Hearing on Thursday February 14, 2019.
Date Decision Signed by the Committee February 21, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:32p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the creation of a new lot, being the retained lands of application B12/19, proposing:

1. A lot area of 318.49sq.m (approx. 3,428.20sq.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;
2. A lot frontage of 9.52m (approx. 31.23ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
3. A lot coverage of 39.80% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage 35.00% of the lot area in this instance;
4. An easterly side yard of 0.91m (approx. 2.99ft) to the first storey and 1.27m (approx. 4.17ft) to the second storey whereas By-law 0225-2007, as amended, requires a minimum easterly side yard of 1.20m (approx. 3.93ft) to the first storey and 1.81m (approx. 5.93ft) to the second storey in this instance;
5. A westerly side yard of 1.20m (approx. 3.93ft) to the first and second storey whereas By-law 0225-2007, as amended, requires a minimum westerly side yard of 1.20m (approx. 3.93ft) to the first storey and 1.81m (approx. 5.93ft) to the second storey in this instance;
6. A front yard of 7.42m (approx. 24.34ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.60ft) in this instance;
7. A front yard to a garage face of 7.00m (approx. 22.96ft) whereas By-law 0225-2007, as amended, requires a minimum front yard to a garage face of 7.50m (approx. 24.60ft) in this instance;
8. A balcony encroachment into a required side yard of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, permits a maximum balcony encroachment into a required side yard of 0.00m in this instance; and
9. A height measured to the eaves of 7.09m (approx. 23.26ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

F. Romano, 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 February 5, 2019)
- City of Mississauga, Transportation and Works Department (dated February 1, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated January 30, 2019)
- Region of Peel (dated January 24, 2019)
- Credit Valley Conservation (dated January 8, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A petition of objection was received signed by 8 area residents.

Committee asked questions of the agent who appeared be for the Committee regarding the positioning of the dwellings and the previous approval.

DECISION

Committee has taken into consideration a petition received from area residents 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 creation of a new lot, being the retained lands of application B12/19, proposing:

1. A lot area of 318.49sq.m whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m in this instance;
2. A lot frontage of 9.52m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m in this instance;
3. A lot coverage of 39.80% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage 35.00% of the lot area in this instance;
4. An easterly side yard of 0.91m to the first storey and 1.27m to the second storey whereas By-law 0225-2007, as amended, requires a minimum easterly side yard of 1.20m to the first storey and 1.81m to the second storey in this instance;
5. A westerly side yard of 1.20m to the first and second storey whereas By-law 0225-2007, as amended, requires a minimum westerly side yard of 1.20m to the first storey and 1.81m (approx. 5.93ft) to the second storey in this instance;
6. A front yard of 7.42m whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m in this instance;
7. A front yard to a garage face of 7.00m whereas By-law 0225-2007, as amended, requires a minimum front yard to a garage face of 7.50m in this instance;
8. A balcony encroachment into a required side yard of 0.61m whereas By-law 0225-2007, as amended, permits a maximum balcony encroachment into a required side yard of 0.00m in this instance; and
9. A height measured to the eaves of 7.09m whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m in this instance.

CONDITION:

1. Construction related to this variance, including driveway works, shall be in general conformance with the plans approved by the Committee.

Committee Decision dated at the City of Mississauga on February 21, 2019.

<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>ABSENT</u> D. REYNOLDS
<u>ABSENT</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on February 21, 2019.

"S. KENNEY"

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

SEAN KENNEY - SECRETARY-TREASURER

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 **March 13, 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 **HOA THI LE TRAN** for the property located at **1092 ELLA AVENUE**.
Date of Hearing on Thursday February 14, 2019
Date Decision Signed by the Committee February 21, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:32p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the creation of a new lot, being the severed lands of application B12/19, proposing:

1. A lot area of 318.49sq.m (approx. 3,428.20sq.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;
2. A lot frontage of 9.52m (approx. 31.23ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
3. A lot coverage of 39.80% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage 35.00% of the lot area in this instance;
4. A westerly side yard of 0.91m (approx. 2.99ft) to the first storey and 1.27m (approx. 4.17ft) to the second storey whereas By-law 0225-2007, as amended, requires a minimum westerly side yard of 1.20m (approx. 3.93ft) to the first storey and 1.81m (approx. 5.93ft) to the second storey in this instance;
5. An easterly side yard of 1.21m (approx. 3.97ft) to the first and second storey whereas By-law 0225-2007, as amended, requires a minimum easterly side yard of 1.20m (approx. 3.93ft) to the first storey and 1.81m (approx. 5.93ft) to the second storey in this instance;
6. A front yard of 7.00m (approx. 22.96ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.60ft) in this instance;
7. A front yard to a garage face of 7.02m (approx. 23.03ft) whereas By-law 0225-2007, as amended, requires a minimum front yard to a garage face of 7.50m (approx. 24.60ft) in this instance;
8. A balcony encroachment into a required side yard of 0.60m (approx. 1.97ft) whereas By-law 0225-2007, as amended, permits a maximum balcony encroachment into a required side yard of 0.00m in this instance; and
9. A height measured to the eaves of 7.09m (approx. 23.26ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

F. Romano, 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 February 5, 2019)



- City of Mississauga, Transportation and Works Department (dated February 1, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated January 30, 2019)
- Region of Peel (dated January 24, 2019)
- Credit Valley Conservation (dated January 8, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A petition of objection was received signed by 8 area residents.

Committee asked questions of the agent who appeared be for the Committee regarding the positioning of the dwellings and the previous approval.

DECISION

The applicant requested that the application be amended and Committee agreed to the request.

Committee has taken into consideration a petition received from area residents 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 AS AMENDED SUBJECT TO CONDITION:

To allow the creation of a new lot, being the severed lands of application B12/19, proposing:

1. A lot area of 318.49sq.m whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m in this instance;
2. A lot frontage of 9.52m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m in this instance;
3. A lot coverage of 39.80% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage 35.00% of the lot area in this instance;
4. A westerly side yard of 0.91m to the first storey and 1.27m to the second storey whereas By-law 0225-2007, as amended, requires a minimum westerly side yard of 1.20m to the first storey and 1.81m to the second storey in this instance;
5. An easterly side yard of 1.21m to the first and second storey whereas By-law 0225-2007, as amended, requires a minimum easterly side yard of 1.20m to the first storey and 1.81m to the second storey in this instance;
6. A front yard of 7.45m whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m in this instance;
7. A front yard to a garage face of 7.02m whereas By-law 0225-2007, as amended, requires a minimum front yard to a garage face of 7.50m in this instance;
8. A balcony encroachment into a required side yard of 0.60m whereas By-law 0225-2007, as amended, permits a maximum balcony encroachment into a required side yard of 0.00m in this instance; and
9. A height measured to the eaves of 7.09m whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m in this instance.

CONDITION(S):

1. Construction related to this variance, including driveway works, shall be in general conformance with the plans approved by the Committee.

Committee Decision dated at the City of Mississauga on February 21, 2019.

<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>ABSENT</u> D. REYNOLDS
<u>ABSENT</u> P. Quinn	

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"S. KENNEY"

For a signed copy of this document

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

Committee.Adjustment@mississauga.ca

SEAN KENNEY - SECRETARY-TREASURER

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 **March 13, 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 53 of The Planning Act R.S.O. 1990, C.P.13, as amended.
Application by **TY NAEMSCH** for the property located at **612 CURZON AVENUE**.
Date of Hearing on Thursday February 14, 2019
Date Decision Signed by the Committee February 21, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:52p.m.

APPLICATION DETAILS

The applicant requests the approval of the Committee to sever a parcel of land for the purposes of a lot addition. The parcel has a frontage of approximately 3.71m (12.17ft) and an area of approximately 174.4sq.m (1,877.23sq.ft). The new parcel will be added to the property immediately to the east known as 618 Curzon Avenue which will result in a new lot.

D. Brown, 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 February 5, 2019)
- City of Mississauga, Transportation and Works Department (dated February 1, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated January 30, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated January 31, 2019)
- Region of Peel (dated January 24, 2019)
- Bell Canada, Right-of-Way (dated January 21, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A petition of objection was received signed by 32 area residents.
- A petition of objection was received signed by 11 area residents.
- Correspondence was received from the resident of 611 Curzon Avenue stating an objection to the subject application.

The resident of 918 Curzon Avenue appeared before the Committee and expressed concerns regarding the subject application including protection of the trees and construction noise mitigation.

The resident of 608 Montbeck Crescent appeared before the Committee and expressed concerns regarding the subject application including the proposed lot sizes and conformity with the Official Plan.

Committee asked questions of the agent who appeared be for the Committee.

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

DECISION

Committee has taken into consideration correspondence received from 1 area resident and 2 residents who presented at the hearing. Committee has also taken into consideration 2 petitions that were received.

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. George SECONDED BY: S. Patrizio CARRIED

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED APPEDIX A AND THOSE LISTED BELOW:

The applicant requests the approval of the Committee to sever a parcel of land for the purposes of a lot addition. The parcel has a frontage of approximately 3.71m and an area of approximately 174.4sq.m. The new parcel will be added to the property immediately to the east known as 618 Curzon Avenue which will result in a new lot.

AND IS SUBJECT THE FOLLOWING:

- a. Subsection 50(3) and/or 50(5) of the Planning Act, shall apply to any subsequent conveyance or transaction that is subject to this consent and the Secretary-Treasurer's Certificate shall contain reference to this stipulation.
- b. The severed portion shall merge into common ownership with the lands municipally know as 618 Curzon Avenue, Mississauga, Ontario. If required the applicant may have to submit a letter form a lawyer describing how the two properties will be merged,

Committee Decision dated at the City of Mississauga on February 21, 2019.

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

I certify this is copy of the decision of the Committee's decision given on February 21, 2019.

"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: February 25, 2019

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 **March 17, 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 February 25, 2020.

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"52/19 & "A"53/19)
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 February 1, 2019.
5. 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 January 31, 2019.

Lot Addition

- a. Subsection 50(3) and/or 50(5) of the Planning Act, shall apply to any subsequent conveyance or transaction that is subject to this consent and the Secretary-Treasurer's Certificate shall contain reference to this stipulation.
- b. The severed portion shall merge into common ownership with the lands municipally know as 618 Curzon Avenue, Mississauga, Ontario. If required the applicant may have to submit a letter form a lawyer describing how the two properties will be merged.



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: February 1, 2019

Re: **Applicant:** Ty Naemsch
 Date of Hearing: February 14, 2019
 Location: 612 Curzon Avenue
 Our File: 'B' 14/19 Ward 1(Z-7)

We have reviewed the information submitted with this application and have no concern with the applicant severing a portion of the lands to attach to the lands located immediately to the east. 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.

4. Municipal Address Requirement

Prior to the issuance of final consent, satisfactory arrangements are to be made with Corporate Services Department, Information Technology Division, Digital Services & Mobility Section, Geospatial Solutions Group for the creation of new municipal



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

addresses for the severed and retained lands. For further information, please contact Susie Tasca at (905) 615-3200 ext. 3088 or susie.tasca@mississauga.ca

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 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 there is no storm sewer system available in front of the proposed lots on Curzon Avenue. In this regard, we advise that all dwellings to be constructed on the both the severed and retained lands will require a sump pump to discharge the weeping tile to grade. It is the full responsibility of the applicant to advise any prospective purchasers of the properties of this requirement.

For further information regarding the above noted comments, please contact John Salvino at (905) 615-3200 ext. 5129 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: January 31, 2019

FILES: "B" 14/19; and "A" 52/19

SUBJECT: CONSENT APPLICATION
612 CURZON AVENUE
TY NAEMSCH
WARD 1
FEBRUARY 14, 2019 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:

City of Mississauga Forestry Staff have attended the site and identified the following City owned trees within the municipal boulevard in front of 612 Curzon Avenue:

- one (1) Silver Maple – 109 cm

Community Services does not support the removal of the above noted tree given its size and the canopy that it provides. As per the Mississauga Official Plan, Section 6.3.41, the Urban Forest, which includes street trees, will be protected and managed with the goal of maintaining and increasing the city's canopy cover.

Due to the location of the proposed driveway and considering that the property is not subject to site plan control, should the application be approved, Community Services wishes to impose the following conditions:

1. The Applicant shall ensure that the proposed driveway does not impact or require the removal of the above noted tree.
2. The Applicant shall provide tree protection securities in the amount of \$18,400 for the above noted tree.
The applicant shall provide framed tree hoarding to the dripline of the above noted tree prior to construction to the satisfaction of City of Mississauga Forestry Staff. Please call Ryan Cormier at 905-615-3200 ext. 4580 to arrange a hoarding inspection.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges 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 upon the completion of the works, securities may be held for up to two years as determined by City of Mississauga Forestry Staff.

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 TY NAEMSCH for the property located at **612 CURZON AVENUE**.
Date of Hearing on Thursday February 14, 2019
Date Decision Signed by the Committee February 21, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:52p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the construction of a new house on the subject property, being the retained lands of application B14/19, proposing:

1. A lot frontage of 9.82m (approx. 32.22ft) 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 354.00 sq.m (approx. 3,810.42sq.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;
3. A lot coverage of 39.7% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area in this instance; and
4. A side yard of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance.

D. Brown, 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 February 5, 2019)
- City of Mississauga, Transportation and Works Department (dated February 1, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated January 30, 2019)
- Region of Peel (dated January 24, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A petition of objection was received signed by 32 area residents.
- A petition of objection was received signed by 11 area residents.
- Correspondence was received from the resident of 611 Curzon Avenue stating an objection to the subject application.

The resident of 918 Curzon Avenue appeared before the Committee and expressed concerns regarding the subject application including protection of the trees and construction noise mitigation.

The resident of 608 Montbeck Crescent appeared before the Committee and expressed concerns regarding the subject application including the proposed lot sizes and conformity with the Official Plan.

Committee asked questions of the agent who appeared be for the Committee.

DECISION

The applicant requested that the application be amended and Committee agreed to the request.

Committee has taken into consideration correspondence received from 1 area resident, 2 residents who presented at the hearing and both submitted petitions. They have also considered 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: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow the construction of a new house on the subject property, being the retained lands of application B14/19, proposing:

1. A lot frontage of 9.82m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m in this instance;
2. A lot area of 354.00 sq.m whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m in this instance;
3. A lot coverage of 39.7% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area in this instance; and
4. An interior side yard of 1.20m for a two storey dwelling whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m for a two storey dwelling in this instance.

Committee Decision dated at the City of Mississauga on February 21, 2019.

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

I certify this is copy of the decision of the Committee's decision given on February 21, 2019.

"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 **March 13, 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 TY NAEMSCH for the property located at **612 CURZON AVENUE**.
Date of Hearing on Thursday February 14, 2019
Date Decision Signed by the Committee February 21, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:52p.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 of application B14/19 and retained lands of application B15/19, proposing:

1. A lot frontage of 9.82m (approx. 32.22ft) 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 354.00 sq.m (approx. 3,810.42sq.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;
3. A lot coverage of 39.7% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area in this instance; and
4. A side yard of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance.

D. Brown, 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 February 5, 2019)
- City of Mississauga, Transportation and Works Department (dated February 1, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated January 30, 2019)
- Region of Peel (dated January 24, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A petition of objection was received signed by 32 area residents.
- A petition of objection was received signed by 11 area residents.
- Correspondence was received from the resident of 611 Curzon Avenue stating an objection to the subject application.

The resident of 918 Curzon Avenue appeared before the Committee and expressed concerns regarding the subject application including protection of the trees and construction noise mitigation.

The resident of 608 Montbeck Crescent appeared before the Committee and expressed concerns regarding the subject application including the proposed lot sizes and conformity with the Official Plan.

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

DECISION

The applicant requested that the application be amended and Committee agreed to the request.

Committee has taken into consideration correspondence received from 1 area resident, 2 residents who presented at the hearing and both submitted petitions. They have also considered 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: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow the construction of a new house on the subject property, being the severed lands of application B14/19, proposing:

1. A lot frontage of 9.82m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m in this instance;
2. A lot area of 354.00 sq.m whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m in this instance;
3. A lot coverage of 39.7% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area in this instance; and
4. An interior side yard of 1.20m for a two storey dwelling whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m for a two storey dwelling in this instance.

Committee Decision dated at the City of Mississauga on February 21, 2019.

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

I certify this is copy of the decision of the Committee's decision given on February 21, 2019.

"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 **March 13, 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 53 of The Planning Act R.S.O. 1990, C.P.13, as amended.
Application by **TMHCK HOLDING CO** for the property located at **618 CURZON AVENUE**.
Date of Hearing on Thursday February 14, 2019
Date Decision Signed by the Committee February 21, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:52p.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 9.82m (32.22ft) and an area of approximately 354.0sq.m (3,810.42sq.ft).

D. Brown, 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 February 5, 2019)
- City of Mississauga, Transportation and Works Department (dated February 1, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated January 30, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated January 31, 2019)
- Region of Peel (dated January 24, 2019)
- Bell Canada, Right-of-Way (dated January 21, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A petition of objection was received signed by 32 area residents.
- A petition of objection was received signed by 11 area residents.
- Correspondence was received from the resident of 611 Curzon Avenue stating an objection to the subject application.

The resident of 918 Curzon Avenue appeared before the Committee and expressed concerns regarding the subject application including protection of the trees and construction noise mitigation.

The resident of 608 Montbeck Crescent appeared before the Committee and expressed concerns regarding the subject application including the proposed lot sizes and conformity with the Official Plan.

Committee asked questions of the agent who appeared be for the Committee.

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

DECISION

Committee has taken into consideration correspondence received from 1 area resident and 2 residents who presented at the hearing. Committee has also taken into consideration 2 petitions that were received.

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. George 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 9.82m and an area of approximately 354.0sq.m.

Committee Decision dated at the City of Mississauga on February 21, 2019.

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

I certify this is copy of the decision of the Committee's decision given on February 21, 2019.

"S. KENNEY"

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

SEAN KENNEY - SECRETARY-
TREASURER

Committee.Adjustment@mississauga.ca

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

Date of Mailing: February 25, 2019

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 **March 17, 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 February 25, 2020.

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"54/19)
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 February 1, 2019.
5. 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 January 31, 2019.



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: February 1, 2019

Re: **Applicant:** **TMHCK Holding Co.**
 Date of Hearing: **February 14, 2019**
 Location: **618 Curzon Avenue**
 Our File: **'B' 15/19 Ward 1(Z-7)**

We have reviewed the information submitted with this application and have no concern with the applicant severing a portion of the lands to attach to the lands located immediately to the west, in turn creating a new lot with the result of the severed lands from 612 Curzon Avenue. 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.

4. Municipal Address Requirement

Prior to the issuance of final consent, satisfactory arrangements are to be made with Corporate Services Department, Information Technology Division, Digital Services &

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

Mobility Section, Geospatial Solutions Group for the creation of new municipal addresses for the severed and retained lands. For further information, please contact Susie Tasca at (905) 615-3200 ext. 3088 or susie.tasca@mississauga.ca

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 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 there is no storm sewer system available in front of the proposed lots on Curzon Avenue. In this regard, we advise that all dwellings to be constructed on the both the severed and retained lands will require a sump pump to discharge the weeping tile to grade. It is the full responsibility of the applicant to advise any prospective purchasers of the properties of this requirement.

For further information regarding the above noted comments, please contact John Salvino at (905) 615-3200 ext. 5129 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: January 31, 2019

FILES: "B" 15/19

SUBJECT: CONSENT APPLICATION
618 CURZON AVENUE
TMHCK HOLDING CO
WARD 1
FEBRUARY 14, 2019 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:

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

- one (1) Silver Maple – 96 cm
- one (1) White Spruce – 25 cm

Community Services does not support the removal of the above noted trees given their size and the canopy that they provide. As per the Mississauga Official Plan, Section 6.3.41, the Urban Forest, which includes street trees, will be protected and managed with the goal of maintaining and increasing the city's canopy cover.

Due to the location of the proposed driveways and considering that the property is not subject to site plan control, should the application be approved, Community Services wishes to impose the following conditions:

1. The Applicant shall ensure that the proposed driveways do not impact or require the removal of the above noted trees.
2. The applicant shall provide tree protection securities in the amount of \$15,626 for the above noted trees.
3. The applicant shall provide framed tree hoarding to the dripline of the above noted trees prior to construction to the satisfaction of City of Mississauga Forestry Staff. Please call Ryan Cormier at 905-615-3200 ext. 4580 to arrange a hoarding inspection.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges 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 upon the completion of the works, securities may be held for up to two years as determined by City of Mississauga Forestry Staff.



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

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.

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 **TMHCK HOLDING CO.** for the property located at **618 CURZON AVENUE.**
Date of Hearing on Thursday February 14, 2019
Date Decision Signed by the Committee February 21, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:52p.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 of application B15/19 and retained lands of application B15/19, proposing:

1. A lot frontage of 9.82m (approx. 32.22ft) 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 354.00 sq.m (approx. 3,810.42sq.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;
3. A lot coverage of 39.7% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area in this instance; and
4. A side yard of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance.

D. Brown, 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 February 5, 2019)
- City of Mississauga, Transportation and Works Department (dated February 1, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated January 30, 2019)
- Region of Peel (dated January 24, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A petition of objection was received signed by 32 area residents.
- A petition of objection was received signed by 11 area residents.
- Correspondence was received from the resident of 611 Curzon Avenue stating an objection to the subject application.

The resident of 918 Curzon Avenue appeared before the Committee and expressed concerns regarding the subject application including protection of the trees and construction noise mitigation.

The resident of 608 Montbeck Crescent appeared before the Committee and expressed concerns regarding the subject application including the proposed lot sizes and conformity with the Official Plan.

Committee asked questions of the agent who appeared be for the Committee.

DECISION

The applicant requested that the application be amended and Committee agreed to the request.

Committee has taken into consideration correspondence received from 1 area resident, 2 residents who presented at the hearing and both submitted petitions. They have also considered 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: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITION:

To allow the construction of a new house on the subject property, being the severed lands of application B15/19, proposing:

1. A lot frontage of 9.82m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m in this instance;
2. A lot area of 354.00 sq.m whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m in this instance;
3. A lot coverage of 39.7% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area in this instance; and
4. An interior side yard of 1.20m for a two storey dwelling whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m for a two storey dwelling in this instance.

CONDITION(S):

1. The driveway shall be relocated to the western side of the property to the satisfaction of Transportation and Works.

Committee Decision dated at the City of Mississauga on February 21, 2019.

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

I certify this is copy of the decision of the Committee's decision given on February 21, 2019.

"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 **March 13, 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 53 of The Planning Act R.S.O. 1990, C.P.13, as amended.
Application by **USMAN MUHAMMAD SYED & SHAIESTA MAQBOOZ**
for the property located at **7615 NETHERWOOD ROAD.**
Date of Hearing on Thursday February 14, 2019
Date Decision Signed by the Committee February 21, 2019

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 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 10.31m (33.83ft) and a lot area of approximately 465.20sq.m (5,007.37sq.ft).

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

BACKGROUND

On December 6, 2018, B. Oughtred, agent, attended and presented evidence in support of the application. He indicated that the previous application had lapsed due to a lack of development interest, and now the application was returning with two single detached dwellings instead of two semi-detached dwellings. The agent showed how the severed lands are similar in size to those used for semi-detached lots further north.

Mr. S. Patrizio expressed concerns that the lot wouldn't fit into the area due to the fact the lot will be a single on a size that compares to semi-detached lots in the area. The agent requested to defer to alter the application.

The Committee consented to the request and deferred the application to the February 14th, 2018 hearing.

Comments were received and entered into evidence from the following:

- 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 November 5, 2018)

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated February 1, 2019)
- City of Mississauga, Transportation and Works Department (dated February 1, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated January 31, 2019)
- Region of Peel (dated January 24, 2019)
- Bell Canada, Right-of-Way (dated January 11, 2019)

CORRESPONDENCE & DISCUSSION

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

The resident of 7631 Priory Crescent appeared before the Committee and objected to the subject application stating concerns including the character of the area and the intent of the Zoning By-law. She indicated that her lot was not a semi-detached and not zoned for semi-detached but rather a detached dwelling with a legal apartment above the garage.

The resident of 7612 Netherwood Road appeared before the Committee and objected to the subject application stating concerns including the character of the area and the safety impacts of the driveway.

Committee asked questions of the agent who appeared be for the Committee.

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

DECISION

Committee has taken into consideration 2 residents who presented at the hearing.

The Committee, having considered consider all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, is not satisfied that the application will result in 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, as amended, resolves to refuse to grant consent as the application did not satisfy the requirements.

Accordingly, the Committee resolves to refuse the request.

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

The Decision of the Committee is:

APPLICATION REFUSED:

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 10.31m and a lot area of approximately 465.20sq.m.

Committee Decision dated at the City of Mississauga on February 21, 2019.

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

I certify this is copy of the decision of the Committee's decision given on February 21, 2019.

"S. KENNEY"

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

SEAN KENNEY - SECRETARY-
TREASURER

Committee.Adjustment@mississauga.ca

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

Date of Mailing: February 25, 2019

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 **March 17, 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 February 25, 2020.

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 (A440/18 & A441/18).
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 February 1, 2019.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated January 31, 2019.
6. 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 January 24, 2019.

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: February 1, 2019

RE: **Applicant:** Usman Muhammad Syed and Shaiesta Maqbooz
Date of Hearing: February 14, 2019
Our File: 'B' 80/18, Ward 5 (Z-48W)

Information submitted with this application indicates that the applicant is requesting to sever the lot into two parcels and construct a semi-detached dwelling (2 units) on the subject lands. As this is a corner property this department is concerned with the location of any access locations as any new access location must be located as far removed from the intersection as possible. 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.

2. Conceptual Site Plan Detailing Proposed Driveway Locations

Acknowledging that very limited information regarding the access configuration for the proposed semi-detached dwellings has been submitted with this application, the applicant will be required to provide for our review/approval a Conceptual Site Plan which will specifically show the driveway locations and any access geometrics. Upon receipt of the Conceptual Site Plan our Traffic Section will further evaluate the proposal, in particular the driveway location and advise if it can be supported.

3. Removal/Re-instatement of Existing Access on Priory Crescent

Satisfactory arrangements will have to be made with the Transportation and Works Department for the removal/re-instatement of the existing access (including the topsoiling and sodding of the boulevard) on Priory Crescent where there is currently an existing access. This requirement will be confirmed upon the Conceptual Site Plan



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

being submitted for our review/approval and it is determined that both access points for the proposed semi-detached dwellings will be from Netherwood Road.

4. Municipal Address Requirement

Prior to the issuance of final consent, satisfactory arrangements are to be made with Corporate Services Department, Information Technology Division, Digital Services & Mobility Section, Geospatial Solutions Group for the creation of new municipal addresses for the severed and retained lands. For further information, please contact Susie Tasca at (905) 615-3200 ext. 3088 or susie.tasca@mississauga.ca

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 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 1350mm storm sewer on Netherwood Road.

For further information regarding the above noted comments, please contact Tony Iacobucci at (905) 615-3200 ext. 5129 or tony.iacobucci@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: January 31, 2019

FILES: "B" 80/18

SUBJECT: CONSENT APPLICATION

7615 Netherwood Road

Usman Muhammad Syed & Shaiesta Maqbooz

WARD 5

February 14, 2019 PUBLIC HEARING OF THE COMMITTEE OF ADJUSTMENT

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

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

1. The applicant shall provide a cash contribution of \$574.50 for planting of one (1) street tree on Netherwood Road. 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. Tree protection securities in the amount of \$5100 were collected via a previously approved and now expired Consent Application ("B" 16/17). Community Services does not require any tree protection securities given that the new proposed severance no longer impacts any boulevard trees.
2. 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.
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

January 24th, 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
February 14th, 2019

Deferred Consent Application: DEF-B-080/18
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. 7190 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 45(1) OR (2) of The Planning Act R.S.O. 1990, c.P.13, as amended.
Application by **USMAN MUHAMMAD SYED & SHAIESTA MAQBOOZ**
for the property located at **7615 NETHERWOOD ROAD.**
Date of Hearing on Thursday February 14, 2019
Date Decision Signed by the Committee February 21, 2019

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 applicants request the Committee to approve a minor variance to allow the creation of a new lot, being the severed lands of application B80/18, proposing development of the subject land in accordance with the RM2 standards whereas By-law 0225-2007, as amended, only permits detached dwellings in this instance.

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

BACKGROUND

On December 6, 2018, B. Oughtred, agent, attended and presented evidence in support of the application. He indicated that the previous application had lapsed due to a lack of development interest, and now the application was returning with two single detached dwellings instead of two semi-detached dwellings. The agent showed how the severed lands are similar in size to those used for semi-detached lots further north.

Mr. S. Patrizio expressed concerns that the lot wouldn't fit into the area due to the fact the lot will be a single on a size that compares to semi-detached lots in the area. The agent requested to defer to alter the application.

The Committee consented to the request and deferred the application to the February 14th, 2018 hearing.

Comments were received and entered into evidence from the following:

- 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 1, 2018)

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated February 1, 2019)
- City of Mississauga, Transportation and Works Department (dated February 1, 2019)
- Region of Peel (dated January 24, 2019)

CORRESPONDENCE & DISCUSSION

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

The resident of 7631 Priory Crescent appeared before the Committee and objected to the subject application stating concerns including the character of the area and the intent of the Zoning By-law. She indicated that her lot was not a semi-detached and not zoned for semi-detached but rather a detached dwelling with a legal apartment above the garage.

The resident of 7612 Netherwood Road appeared before the Committee and objected to the subject application stating concerns including the character of the area and the safety impacts of the driveway.

Committee asked questions of the agent who appeared be for the Committee.

DECISION

Committee has taken into 2 residents 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 not** minor in nature, **is not** 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 not** maintained.

Accordingly, the Committee resolves to refuse the request.

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

The Decision of the Committee is:

APPLICATION REFUSED:

To allow the creation of a new lot, being the severed lands of application B80/18, proposing development of the subject land in accordance with the RM2 standards whereas By-law 0225-2007, as amended, only permits detached dwellings in this instance.

Committee Decision dated at the City of Mississauga on February 21, 2019.

<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	ABSENT D. REYNOLDS
ABSENT P. Quinn	

I certify this is copy of the decision of the Committee's decision given on February 21, 2019.

"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 **March 13, 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 **USMAN MUHAMMAD SYED & SHAIESTA MAQBOOZ**
for the property located at **7615 NETHERWOOD ROAD.**
Date of Hearing on Thursday February 14, 2019
Date Decision Signed by the Committee February 21, 2019

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 applicants request the Committee to approve a minor variance to allow the creation of a new lot, being the retained lands of application B80/18, proposing development of the subject land in accordance with the RM2 standards whereas By-law 0225-2007, as amended, only permits detached dwellings in this instance.

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

BACKGROUND

On December 6, 2018, B. Oughtred, agent, attended and presented evidence in support of the application. He indicated that the previous application had lapsed due to a lack of development interest, and now the application was returning with two single detached dwellings instead of two semi-detached dwellings. The agent showed how the severed lands are similar in size to those used for semi-detached lots further north.

Mr. S. Patrizio expressed concerns that the lot wouldn't fit into the area due to the fact the lot will be a single on a size that compares to semi-detached lots in the area. The agent requested to defer to alter the application.

The Committee consented to the request and deferred the application to the February 14th, 2019 hearing.

Comments were received and entered into evidence from the following:

- 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 1, 2018)

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated February 1, 2019)
- City of Mississauga, Transportation and Works Department (dated February 1, 2019)
- Region of Peel (dated January 24, 2019)

CORRESPONDENCE & DISCUSSION

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

The resident of 7631 Priory Crescent appeared before the Committee and objected to the subject application stating concerns including the character of the area and the intent of the Zoning By-law. She indicated that her lot was not a semi-detached and not zoned for semi-detached but rather a detached dwelling with a legal apartment above the garage.

The resident of 7612 Netherwood Road appeared before the Committee and objected to the subject application stating concerns including the character of the area and the safety impacts of the driveway.

Committee asked questions of the agent who appeared be for the Committee.

DECISION

Committee has taken into 2 residents 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 **not** minor in nature, is **not** 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 not** maintained.

Accordingly, the Committee resolves to refuse the request.

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

The Decision of the Committee is:

APPLICATION REFUSED:

To allow the creation of a new lot, being the retained lands of application B80/18, proposing development of the subject land in accordance with the RM2 standards whereas By-law 0225-2007, as amended, only permits detached dwellings in this instance.

Committee Decision dated at the City of Mississauga on February 21, 2019.

<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	ABSENT D. REYNOLDS
ABSENT P. Quinn	

I certify this is copy of the decision of the Committee's decision given on February 21, 2019.

"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 **March 13, 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 **AMIR REHMANI & NAGINA AMIR**
for the property located at **585 MONTBECK CRESCENT.**
Date of Hearing on Thursday February 14, 2019
Date Decision Signed by the Committee February 21, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:00p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the construction of a detached dwelling proposing:

1. A lot coverage of 41% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance;
2. An easterly interior side yard of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum easterly interior side yard of 1.81m (approx. 5.94ft) in this instance;
3. A westerly interior side yard of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum westerly side yard of 1.81m (approx. 5.94ft) in this instance; and
4. A building height measured to the underside of the eaves of 6.77m (approx.) whereas By-law as amended permits a maximum building height measured to the underside of the eaves of 6.40m (approx. 21.00ft) 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 February 5, 2019)
- City of Mississauga, Transportation and Works Department (dated February 1, 2019)
- Region of Peel (dated January 24, 2019)

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: A. Patrizio SECONDED BY: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of a detached dwelling proposing:

1. A lot coverage of 41% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance;
2. An easterly interior side yard of 1.22m whereas By-law 0225-2007, as amended, requires a minimum easterly interior side yard of 1.81m in this instance;
3. A westerly interior side yard of 1.22m whereas By-law 0225-2007, as amended, requires a minimum westerly side yard of 1.81m in this instance; and
4. A building height measured to the underside of the eaves of 6.77m whereas By-law as amended permits a maximum building height measured to the underside of the eaves of 6.40m in this instance.

Committee Decision dated at the City of Mississauga on February 21, 2019.

<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>ABSENT</u> D. REYNOLDS
<u>ABSENT</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on February 21, 2019.

"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 **March 13, 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 **KASMANI MUHAMMAD HUSSEIN & KASMANI MOHAMMAD SHAFI**
for the property located at **6347 ALDERWOOD TRAIL.**
Date of Hearing on Thursday February 14, 2019
Date Decision Signed by the Committee February 21, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:03p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the construction of exterior alterations proposing:

1. An unobstructed area for parking within an attached garage of 5.10m x 4.80m (approx. 16.73ft x 15.75ft) whereas By-law 0225-2007, as amended, requires a minimum unobstructed area for parking within an attached garage of 2.75m x 5.2m (approx. 9.02ft x 17.06ft) in this instance; and
2. A setback to a window well of 0.453m (approx. 1.49ft) whereas By-law 0225-2007, as amended, requires a minimum setback to a window well of 0.590m (approx. 1.96ft) in this instance.

S. Chaudhry, 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 February 1, 2019)
- City of Mississauga, Transportation and Works Department (dated February 1, 2019)
- Region of Peel (dated January 24, 2019)

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

The Secretary-Treasurer indicated that variance number two should be amended to 2 decimal places. The Committee and the agent consented to the amendment.

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: S. Patrizio CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow the construction of exterior alterations proposing:

1. An unobstructed area for parking within an attached garage of 5.10m x 4.80m whereas By-law 0225-2007, as amended, requires a minimum unobstructed area for parking within an attached garage of 2.75m x 5.2m in this instance; and
2. A setback to a window well of 0.45m whereas By-law 0225-2007, as amended, requires a minimum setback to a window well of 0.590m in this instance.

Committee Decision dated at the City of Mississauga on February 21, 2019.

<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>ABSENT</u> J. PAGE	<u>ABSENT</u> D. REYNOLDS
<u>ABSENT</u> P. Quinn	

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"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 **March 13, 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 **KONSTANTIN GUSAKOV & ELENA GUSAKOVA**
for the property located at **1037 EDGELEIGH AVENUE.**
Date of Hearing on Thursday February 14, 2019
Date Decision Signed by the Committee February 21, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:09p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the construction of a detached dwelling proposing:

1. A lot coverage of 38.30% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A side yard of 1.43m (approx. 4.69ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
3. A building height measured to the eaves of 6.91m (approx. 22.67ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance; and
4. A building height measured to the highest ridge of 10.41m (approx. 34.15ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.50m (approx. 31.17ft) in this instance.

K. Gusakov, co-owner of the property, 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 February 5, 2019)
- City of Mississauga, Transportation and Works Department (dated February 1, 2019)
- Region of Peel (dated January 24, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A petition of support was submitted through the property owner signed by 6 area residents.

Committee asked questions of the owner who appeared before the Committee regarding the proposed height.

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: S. Patrizio SECONDED BY: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITIONS:

To allow the construction of a detached dwelling proposing:

1. A lot coverage of 38.30% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A side yard of 1.43m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m in this instance;
3. A building height measured to the eaves of 6.91m whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m in this instance; and
4. A building height measured to the highest ridge of 10.41m whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.50m in this instance.

CONDITION(S):

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

Committee Decision dated at the City of Mississauga on February 21, 2019.

<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>ABSENT</u> J. PAGE	<u>ABSENT</u> D. REYNOLDS
<u>ABSENT</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on February 21, 2019.

"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 **March 13, 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 **PINA & MIKE KLEMENS** for the property located at **2145 HAYGATE CRESCENT**.
Date of Hearing on Thursday February 14, 2019
Date Decision Signed by the Committee February 21, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:18p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow an existing kitchen proposing two (2) stoves whereas By-law 0225-2007, as amended, permits a maximum of one (1) stove in this instance.

M. Klemens, co-owner of the property, 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 February 5, 2019)
- City of Mississauga, Transportation and Works Department (dated February 1, 2019)
- Region of Peel (dated January 24, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from the resident of 2480 Fifth Line West stating no objection to the subject application.

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

DECISION

The applicant requested that the application be amended and Committee agreed to the request.

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: S. Patrizio SECONDED BY: D. Kennedy CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow a dwelling unit with two kitchens whereas By-law 0225-2007, as amended, defines a dwelling unit to include one kitchen, but not more than one kitchen.

Committee Decision dated at the City of Mississauga on February 21, 2019.

<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
ABSENT J. PAGE	ABSENT D. REYNOLDS
ABSENT P. Quinn	

I certify this is copy of the decision of the Committee's decision given on February 21, 2019.

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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 **March 13, 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 **DANIELS HR CORPORATION** for the property located at
2520 & 2530 EGLINTON AVENUE WEST.
Date of Hearing on Thursday February 14, 2019
Date Decision Signed by the Committee February 21, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:23p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow an underground parking structure proposing:

1. A parking stall width of 2.55m (approx. 8.37ft) whereas By-law 20025-2007, as amended, requires a minimum parking stall width of 2.60m (approx. 8.53ft) in this instance; and
2. An aisle width of 6.10m (approx. 20.01ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.97ft) in this instance.

C. Liggio, 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 February 5, 2019)
- City of Mississauga, Transportation and Works Department (dated February 1, 2019)
- Region of Peel (dated January 24, 2019)

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: S. Patrizio CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITION:

To allow an underground parking structure proposing:

1. A parking stall width of 2.55m whereas By-law 20025-2007, as amended, requires a minimum parking stall width of 2.60m in this instance; and
2. An aisle width of 6.10m whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m in this instance.

CONDITION(S):

1. The applicant shall include in the Declaration a warning clause for each parking space that is substandard in size indicating the size deficiency and shall notify all owners and/or purchasers affected by the reduced size of each parking space.

Committee Decision dated at the City of Mississauga on February 21, 2019.

<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>ABSENT</u> J. PAGE	<u>ABSENT</u> D. REYNOLDS
<u>ABSENT</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on February 21, 2019.

"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 **March 13, 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 **GUILHERME AUGUSTO BLANCO & SARA VEIGA**
for the property located at **2230 WISEMAN COURT.**
Date of Hearing on Thursday February 14, 2019
Date Decision Signed by the Committee February 21, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:29p.m.

APPLICATION DETAILS

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

1. A side yard measured to a G1 zone of 1.07m (approx. 3.51ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a G1 zone of 5.00m (approx. 16.40ft) in this instance; and
2. A garage length of 5.89m (approx. 19.32ft) whereas By-law 0225-2007, as amended, requires a minimum garage length of 6.00m (approx. 19.68ft) in this instance.

M. Furlani, 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 February 5, 2019)
- City of Mississauga, Transportation and Works Department (dated February 1, 2019)
- Region of Peel (dated January 24, 2019)
- Trans-Northern Pipeline (dated January 18, 2019)

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

The applicant requested that the application be amended and Committee agreed to the request.

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: S. Patrizio CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

to allow an addition on the subject property proposing:

1. An easterly side yard of 1.07m measured to the attached garage whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m in this instance;
2. A setback of 1.07m measured from the attached garage to the adjacent G1 – Greenlands zone to the east whereas By-law 0225-2007, as amended, requires a minimum setback of 5.00m in this instance; and
3. An interior length of 5.89m for the attached garage whereas By-law 0225-2007, as amended, requires a minimum interior length of 6.00m in this instance.

Committee Decision dated at the City of Mississauga on February 21, 2019.

<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>ABSENT</u> J. PAGE	<u>ABSENT</u> D. REYNOLDS
<u>ABSENT</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on February 21, 2019.

"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 **March 13, 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 **LORI SMITH** for the property located at **1778 FELLEN PLACE**.
Date of Hearing on Thursday February 14, 2019
Date Decision Signed by the Committee February 21, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:42p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to permit accessory structures proposing:

1. A lot coverage of 32.07% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance;
2. Area of an accessory structure (gazebo) of 26.20sq.m (approx. 283.03ft) whereas By-law 0225-2007, as amended, permits a maximum area an accessory structure of 10sq.m (approx. 107.60ft) in this instance;
3. A side yard measured to an accessory structure (gazebo) of 1.13m (approx. 3.70ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to an accessory structure of 1.20m (approx. 3.93ft) in this instance;
4. A side yard measured to an accessory structure (cabana) of 0.96m (approx. 3.14ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to an accessory structure of 1.20m (approx. 3.93ft) in this instance;
5. An eave encroachment into the side yard of 0.55m (approx. 1.81ft) whereas By-law 0225-2007, as amended, permits a maximum eave encroachment into the side yard of 0.45m (approx. 1.47ft) in this instance;
6. An eave overhang of 0.67m (approx. 2.19ft) whereas By-law 0225-2007, as amended, permits a maximum eave overhang of 0.45m (approx. 1.47ft) in this instance;
7. A height of an accessory structure (gazebo) of 3.96m (approx. 13.00ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m (approx. 9.84ft) in this instance; and
8. A height of an accessory structure (cabana) of 3.96m (approx. 13.00ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m (approx. 9.84ft) in this instance.

M. Flynn-Guglietti & J. Levac, agents, 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 February 1, 2019)
- City of Mississauga, Transportation and Works Department (dated February 1, 2019)
- Region of Peel (dated January 24, 2019)
- Credit Valley Conservation (dated January 31, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A petition of support was received through the agent signed by 7 area residents.

The residents of 1770 Fellen Place appeared before the Committee and objected to the subject application. Concerns included the size and height of the structure

Committee asked questions of the agents who appeared before the Committee regarding the progress of the Site Plan Approval application.

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.



MISSISSAUGA

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

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

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITIONS:

To permit accessory structures proposing:

1. A lot coverage of 32.07% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance;
2. Area of an accessory structure (gazebo) of 26.20sq.m whereas By-law 0225-2007, as amended, permits a maximum area an accessory structure of 10sq.m in this instance;
3. A side yard measured to an accessory structure (gazebo) of 1.13m whereas By-law 0225-2007, as amended, requires a minimum side yard measured to an accessory structure of 1.20m in this instance;
4. A side yard measured to an accessory structure (cabana) of 0.96m whereas By-law 0225-2007, as amended, requires a minimum side yard measured to an accessory structure of 1.20m in this instance;
5. An eave encroachment into the side yard of 0.55m whereas By-law 0225-2007, as amended, permits a maximum eave encroachment into the side yard of 0.45m in this instance;
6. An eave overhang of 0.67m whereas By-law 0225-2007, as amended, permits a maximum eave overhang of 0.45m in this instance;
7. A height of an accessory structure (gazebo) of 3.96m whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m in this instance; and
8. A height of an accessory structure (cabana) of 3.96m whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m in this instance.

CONDITION(S):

1. Construction related to this variance shall be in general conformance with the plans approved by the Committee.
2. The owners shall enter into an agreement through Section 45 of the Planning Act, if required, to the satisfaction of the Secretary-Treasurer in consultation with Legal Services, to ensure proper upkeep of the hedges planted along the eastern property line.

Committee Decision dated at the City of Mississauga on February 21, 2019.

<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>ABSENT</u> D. REYNOLDS
<u>ABSENT</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on February 21, 2019.

"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 **March 13, 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 **2312651 ONTARIO INC.** for the property located at **3417 DERRY ROAD EAST.**
Date of Hearing on Thursday February 14, 2019
Date Decision Signed by the Committee February 21, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:35p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow a commercial plaza proposing 190 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 267 parking spaces in this instance.

P. Jaruczik, agent, attended and presented evidence in support of the application.

BACKGROUND

On November 1, 2018, P. Jaruczik, agent, attended and requested to defer the application to submit a parking study.

The Committee consented to the request and deferred the application to the February 14th, 2019 hearing.

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated October 19, 2018)
- City of Mississauga, Transportation and Works Department (dated October 19, 2018)
- Region of Peel (dated October 22, 2018)
- Correspondence was received from the resident of 6924 Justine Drive, stating an objection to the subject application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated February 1, 2019)
- City of Mississauga, Transportation and Works Department (dated February 1, 2019)
- Region of Peel (dated January 24, 2019)

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.

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: S. Patrizio SECONDED BY: J. Page CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITIONS:

To allow a commercial plaza proposing 190 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 267 parking spaces in this instance.

CONDITION(S):

1. The combined maximum Gross Floor Area of all Restaurant uses shall be 900 square metres.
2. The combined maximum Gross Floor Area of all Medical Office uses shall be 1,000 square metres.

Committee Decision dated at the City of Mississauga on February 21, 2019.

<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>ABSENT</u> D. REYNOLDS
<u>ABSENT</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on February 21, 2019.

"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 **March 13, 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.