

COMMITTEE OF ADJUSTMENT RESULTS



Location: COUNCIL CHAMBER
Hearing: MARCH 21, 2019 AT 1:30 P.M.

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

NEW APPLICATIONS - (CONSENT)

B-024/19	BASIR HAIDER SYED	10 BENSON AVE	1	Approved
B-025/19				(AC)
A-087/19				Approved
A-088/19				(AC)
A-089/19				Approved
				Approved
				Approved

DEFERRED APPLICATIONS - (CONSENT)

B-003/19	RAVINDRA & CHANDRA CHANDOK	1166 MONA RD	1	Deferred
A-005/19				(May 30)
A-006/19				
B-020/19	PINETREE DEVELOPMENTS INC	119 CUMBERLAND DR	1	Approved
				(AC)

NEW APPLICATIONS - (MINOR VARIANCE)

A-086/19	MEADOWVALE BIBLE BAPTIST	2690 GANANOQUE DR	9	Approved
				(AA)
A-090/19	JIA WANG, ZHEN RU ZHANG	994 GARRARD AVE	1	Approved
				(ACP)
A-091/19	HUSEYIN AVNI TANPOLAT	63 TROY ST	1	Approved
A-092/19	JAKARIYA VARACHHIA	14 YORK ST	5	Approved
				(AA)

DEFERRED APPLICATIONS - (MINOR VARIANCE)

A-302/18	ZAHIDA & SYED RIZVI	1178 OGDEN AVE	1	Approved
				(AA)
A-435/18	CHARLES FREY/ CATHERINE BROW	1063 GREENOAKS DR	2	Approved
A-073/19	489419 ONTARIO INC	3550 WOLFEDALE RD	6	Approved

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 **BASIR HAIDER SYED** for the property located at **10 BENSON AVENUE**.
Date of Hearing on Thursday March 21, 2019
Date Decision Signed by the Committee March 28, 2019

The hearing commenced at approximately 1:33p.m.

Mr. Patrizio declared a pecuniary interest for this application and left council chambers.

The subject application was heard at approximately 1:34p.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 8.38m (27.49ft) and an area of approximately 238.70sq.m (2569.35sq.ft).

The application is also subject to consent application B25/19, A87/19, A88/19, and A89/19.

D. Brown, authorized 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 March 8, 2019)
- City of Mississauga, Transportation and Works Department (dated March 8, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated March 7, 2019)
- Region of Peel (dated March 7, 2019)
- Bell Canada, Right-of-Way (dated February 18, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from the resident of 153 High Street West, stating an objection to the subject application.

The home owners of 153 High Street West appeared before the Committee and objected the subject application.

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

The applicant asked Committee to amend the conditions requested by city and agency staff as follows:

- Remove condition #6 from Bell Canada, Right-of-Way.

DECISION

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

The Committee, having considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the municipality.

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

To sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 8.38m and an area of approximately 238.70sq.m.

Committee Decision dated at the City of Mississauga on March 28, 2019

ABSENT S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE (CHAIR)	<u>"J. KWAST"</u> J. KWAST
<u>"D. COOK"</u> D. COOK	

I certify this is copy of the decision of the Committee's decision given on March 28, 2019.

"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 53 of the Planning Act, as amended, is attached.

Date of Mailing: April 1, 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 **April 21, 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 **April 1, 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"87/19, "A"88/19 & "A"89/19)
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 March 8, 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 March 7, 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: March 8, 2019

RE: **Applicant:** Basir Haider Syed
Date of Hearing: March 21, 2019
Location: 10 Benson Ave.
Our File: 'B' 24-25/19, Ward 1 (Z-8)

Should Committee see merit in the applicant's request we are providing the following conditions/requirements to be imposed as conditions of approval:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Servicing Plan

We request that the applicant submit a Functional Servicing Proposal and Servicing Plan prepared by a Consulting Engineer for this department's review/approval to confirm that all the necessary municipal services can be provided for the proposed lots. It is to show the location of all existing/proposed services.

2. 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.

3. Site Plan Requirement

An overall Site Plan (for the entire lands) depicting the proposed driveway locations for the new lots is to be provided for our review. In particular, the most northerly lot and how the access will function considering its proximity to the intersection of High Street and Benson Avenue.

4. Environmental Site Screening Questionnaire and Declaration Form (ESSQD)

The applicant will be required to provide a completed Environmental Site Screening Questionnaire and Declaration Form to this Department for review In accordance with City Policy 09-08-02 which is signed by a Commissioner of Oaths and the property

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

owner. After review of the ESSQD, a Phase One and/or Phase Two Environmental Assessment may be required depending on the information stated in the ESSQD. For further information regarding the above, please contact Valeriya Danylova at (905) 615-3200 ext. 5930 or valeriya.danylova@mississauga.ca

5. 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. Site Plan Approval

Any re-development of the subject lands will require the owner obtaining Site Plan Approval where any site specific conditions/requirements relating to detailed lot grading and drainage, servicing, access, etc. will be addressed.

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. We advise that the storm sewer outlet for these lands is the existing 600mm diameter storm sewer within Benson Avenue.

3. 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.

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
c; williamoughtred@on.aibn.com

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

DATE: March 7, 2019

FILES: "B" 24/19

SUBJECT: CONSENT APPLICATION
10 BENSON AVENUE
BASIR HAIDER SYED
WARD 1
MARCH 21, 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:

1. The applicant shall provide a cash contribution of \$574.50 for planting of one (1) street tree on Benson Avenue. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

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

- one (1) Weeping Willow– 46.5 cm

Given that the subject lands are not subject to site plan control, should the application be approved, Community Services wishes to impose the following conditions:

2. The applicant shall ensure that the future driveway does not impact or require the removal of the above noted tree.
3. The applicant shall provide tree protection securities in the amount of \$2560 for the above noted tree.
4. The applicant shall provide horizontal tree hoarding to the dripline of the above noted trees 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 of tree preservation securities can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West.
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.
3. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes may be 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

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 53 of The Planning Act R.S.O. 1990, C.P.13, as amended.
Application by **BASIR HAIDER SYED** for the property located at **10 BENSON AVENUE**.
Date of Hearing on Thursday March 21, 2019
Date Decision Signed by the Committee March 28, 2019

The hearing commenced at approximately 1:33p.m.

Mr. Patrizio declared a pecuniary interest for this application and left council chambers.

The subject application was heard at approximately 1:34p.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 8.38m (27.49ft) and an area of approximately 230.60sq.m (2282.16sq.ft).

The application is also subject to consent application B24/19, A87/19, A88/19, and A89/19.

D. Brown, authorized 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 March 8, 2019)
- City of Mississauga, Transportation and Works Department (dated March 8, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated March 7, 2019)
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- Bell Canada, Right-of-Way (dated February 18, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from the resident of 153 High Street West, stating an objection to the subject application.

The home owners of 153 High Street West appeared before the Committee and objected the subject application.

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

The applicant asked Committee to amend the conditions requested by city and agency staff as follows:

- Remove condition #6 from Bell Canada, Right-of-Way.

DECISION

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

The Committee, having considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the municipality.

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

To sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 8.38m and an area of approximately 230.60sq.m.

Committee Decision dated at the City of Mississauga on March 28, 2019

ABSENT S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE (CHAIR)	<u>"J. KWAST"</u> J. KWAST
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"S. KENNEY"

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SEAN KENNEY - SECRETARY-
TREASURER

or email

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

Date of Mailing: April 1, 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 **April 21, 2019**.

NOTES:

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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.
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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 March 8, 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 March 7, 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: March 8, 2019

RE: **Applicant:** Basir Haider Syed
Date of Hearing: March 21, 2019
Location: 10 Benson Ave.
Our File: 'B' 24-25/19, Ward 1 (Z-8)

Should Committee see merit in the applicant's request we are providing the following conditions/requirements to be imposed as conditions of approval:

A. Items Required Prior to the Issuance of Final Consent

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We request that the applicant submit a Functional Servicing Proposal and Servicing Plan prepared by a Consulting Engineer for this department's review/approval to confirm that all the necessary municipal services can be provided for the proposed lots. It is to show the location of all existing/proposed services.

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4. Environmental Site Screening Questionnaire and Declaration Form (ESSQD)

The applicant will be required to provide a completed Environmental Site Screening Questionnaire and Declaration Form to this Department for review In accordance with City Policy 09-08-02 which is signed by a Commissioner of Oaths and the property

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

owner. After review of the ESSQD, a Phase One and/or Phase Two Environmental Assessment may be required depending on the information stated in the ESSQD. For further information regarding the above, please contact Valeriya Danylova at (905) 615-3200 ext. 5930 or valeriya.danylova@mississauga.ca

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B. General Information

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3. 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.

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
c; williamoughtred@on.aibn.com

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

DATE: March 7, 2019

FILES: "B" 25/19

SUBJECT: CONSENT APPLICATION
10 BENSON AVENUE
BASIR HAIDER SYED
WARD 1
MARCH 21, 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 Benson 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.

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 **BASIR HAIDER SYED** for the property located at **10 BENSON AVENUE.**
Date of Hearing on Thursday March 21, 2019
Date Decision Signed by the Committee March 28, 2019

The hearing commenced at approximately 1:33p.m.

Mr. Patrizio declared a pecuniary interest for this application and left council chambers.

The subject application was heard at approximately 1:34p.m.

APPLICATION DETAILS

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

1. A lot area of 238.70sq.m (approx. 2569.35sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 460.00sq.m (approx. 4951.40sq.ft) in this instance; and
2. A lot frontage of 8.38m (approx. 27.49ft) whereas By-law 0225-2007, as amended requires a minimum lot frontage of 12.00m (approx. 39.37ft) in this instance.

The application is also subject to consent applications B24/19, B25/19, and minor variance applications A88/19, and A89/19.

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 March 8, 2019)
- City of Mississauga, Transportation and Works Department (dated March 8, 2019)
- Region of Peel (dated March 7, 2019)
- Bell Canada, Right-of-way, (dated February 18, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from the resident of 153 High Street West, stating an objection to the subject application.

The home owners of 153 High Street West appeared before the Committee and objected to the subject application.

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

DECISION

Committee has taken into consideration correspondence received from one area resident and two residents who presented at the hearing. 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: D. George SECONDED BY: D. Kennedy CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of a detached house proposing:

1. A lot area of 238.70sq.m whereas By-law 0225-2007, as amended, requires a minimum lot area of 460.00sq.m in this instance; and
2. A lot frontage of 8.38m whereas By-law 0225-2007, as amended requires a minimum lot frontage of 12.00m in this instance.

Committee Decision dated at the City of Mississauga on March 28, 2019.

<u>ABSENT</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE - (CHAIR)	<u>"J. KWAST"</u> J. KWAST
<u>"D. COOK"</u> D. COOK	

I certify this is copy of the decision of the Committee's decision given on March 28, 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 **April 17, 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.
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Mr. Patrizio declared a pecuniary interest for this application and left council chambers.

The subject application was heard at approximately 1:34p.m.

APPLICATION DETAILS

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

1. A lot area of 230.60sq.m (approx. 2282.16sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 460.00sq.m (approx. 4951.40sq.ft) in this instance; and
2. A lot frontage of 8.38m (approx. 27.49ft) whereas By-law 0225-2007, as amended requires a minimum lot frontage of 12.00m (approx. 39.37ft) in this instance.

The application is also subject to consent applications B24/19, B25/19, and minor variance applications A87/19, and A89/19.

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of a detached house proposing:

1. A lot area of 230.60sq.m whereas By-law 0225-2007, as amended, requires a minimum lot area of 460.00sq.m in this instance; and
2. A lot frontage of 8.38m whereas By-law 0225-2007, as amended requires a minimum lot frontage of 12.00m in this instance.

Committee Decision dated at the City of Mississauga on March 28, 2019.

ABSENT S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE - (CHAIR)	<u>"J. KWAST"</u> J. KWAST
<u>"D. COOK"</u> D. COOK	

I certify this is copy of the decision of the Committee's decision given on March 28, 2019

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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or email

Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **April 17, 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 **BASIR HAIDER SYED** for the property located at **10 BENSON AVENUE**.
Date of Hearing on Thursday March 21, 2019
Date Decision Signed by the Committee March 28, 2019

The hearing commenced at approximately 1:33p.m.

Mr. Patrizio declared a pecuniary interest for this application and left council chambers.

The subject application was heard at approximately 1:34p.m.

APPLICATION DETAILS

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

1. A lot area of 330.00sq.m (approx. 3552.09sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 460.00sq.m (approx. 4951.40sq.ft) in this instance; and
2. A lot frontage of 11.79m (approx. 38.68ft) whereas By-law 0225-2007, as amended requires a minimum lot frontage of 12.00m (approx. 39.37ft) in this instance.

The application is also subject to consent applications B24/19, B25/19, and minor variance applications A87/19, and A88/19.

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 March 8, 2019)
- City of Mississauga, Transportation and Works Department (dated March 8, 2019)
- Region of Peel (dated March 7, 2019)
- Bell Canada, Right-of-way, (dated February 18, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from the resident of 153 High Street West, stating an objection to the subject application.

The home owners of 153 High Street West appeared before the Committee and objected the subject application.

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

DECISION

Committee has taken into consideration correspondence received from one area resident and two residents who presented at the hearing. 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: D. George SECONDED BY: D. Kennedy CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of a detached house proposing:

1. A lot area of 330.00sq.m whereas By-law 0225-2007, as amended, requires a minimum lot area of 460.00sq.m in this instance; and
2. A lot frontage of 11.79m whereas By-law 0225-2007, as amended requires a minimum lot frontage of 12.00m in this instance.

Committee Decision dated at the City of Mississauga on March 28, 2019.

ABSENT S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE - (CHAIR)	<u>"J. KWAST"</u> J. KWAST
<u>"D. COOK"</u> D. COOK	

I certify this is copy of the decision of the Committee's decision given on March 28, 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 **April 17, 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 **PINETREE DEVELOPMENTS INC**
for the property located at **119 CUMBERLAND DRIVE**.
Date of Hearing on Thursday March 21, 2019
Date Decision Signed by the Committee March 28, 2019

The hearing commenced at approximately 1:33p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:57p.m.

APPLICATION DETAILS

The applicant requests the approval of the Committee to sever a parcel of land for the purpose of a lot addition. The parcel has a frontage of approximately 1.20m (3.94ft) and an area of approximately 54.86sq.m (590.51ft). The new parcel will be added to the property immediately to the East known as 121 Cumberland Drive.

D. Brown, agent, attended and presented evidence in support of the application.

BACKGROUND

On February 28, 2019, B. Oughtred, agent, attended and requested to defer the application to correct the address on the application.

The Committee consented to the request and deferred the application to the March 21st, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated February 15, 2019)
- City of Mississauga, Transportation and Works Department (dated February 15, 2019)
- City of Mississauga, Parks Planning Section (dated February 14, 2019)
- City of Mississauga, Culture Division (dated February 6, 2019)
- Region of Peel (dated February 15, 2019)
- Bell Canada (dated January 30, 2019)

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated March 8, 2019)
- City of Mississauga, Transportation and Works Department (dated March 8, 2019)
- Bell Canada, Right-of-Way (dated March 20, 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.

The applicant asked the Committee to amend the conditions requested by city and agency staff as follows:

- Remove condition #4, Community Services Department, Culture Division.
- Remove condition #5, Community Services Department, Park Planning Division.

DECISION

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: D. George CARRIED

The Decision of the Committee is:

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

To sever a parcel of land for the purpose of a lot addition. The parcel has a frontage of approximately 1.20m and an area of approximately 54.86sq.m. The new parcel will be added to the property immediately to the East known as 121 Cumberland Drive.

AND IS SUBJECT TO 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 121 Cumberland Drive 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 March 28, 2019

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> J. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"J. KWAST"</u> J. KWAST
<u>"D. COOK"</u> D. COOK	

I certify this is copy of the decision of the Committee's decision given on March 28, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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or email

Committee.Adjustment@mississauga.ca

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

Date of Mailing: April 1, 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 April 21, 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 April 1, 2020.

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

Appendix A – Conditions of Provisional Consent

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.

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 119 Cumberland Drive, Mississauga, Ontario. If required the applicant may have to submit a letter form a lawyer describing how the two properties will be merged.

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 **MEADOWVALE BIBLE BAPTIST**
for the property located at **2690 GANANOQUE DRIVE.**

Date of Hearing on Thursday March 21, 2019
Date Decision Signed by the Committee March 28, 2019

The hearing commenced at approximately 1:38p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:01p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the construction of a playground proposing a recreational use whereas By-law 0225-2007, as amended, does not permit this use in this instance.

T. Talbot, 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 March 8, 2019)
- City of Mississauga, Transportation and Works Department (dated March 8, 2019)
- Region of Peel (dated March 7, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A memorandum was received from Ward Councillor Saito expressing support for the subject application.
- A petition of support was received signed by 24 area residents.

The resident of 6905 Markwood Place appeared before the Committee and expressed concerns regarding the 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 correspondence received from 25 area resident and one resident who presented at the hearing. 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: D. Cook SECONDED BY: J. Page CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

1. To allow an outdoor playground accessory to the off-site Mississauga Christian Academy located at 2720 Gananoque Drive; whereas, By-law 0225-2007, as amended, does not permit an outdoor playground in this instance; and,
2. To exempt the proposed accessory outdoor playground from the R3 zone regulations; whereas, By-law 0225-2007, requires all buildings and structures to comply with the R3 zone regulations of the subject property, in this instance.

Committee Decision dated at the City of Mississauga on March 28, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"J. KWAST"</u> J. KWAST
<u>"D. COOK"</u> D. COOK	

I certify this is copy of the decision of the Committee's decision given on March 28, 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 **April 17, 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 **JIA WANG, ZHEN RU ZHANG** for the property located at **994 GARRARD AVENUE.**
Date of Hearing on Thursday March 21, 2019
Date Decision Signed by the Committee March 28, 2019

The hearing commenced at approximately 1:38p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:17p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the construction of a stairwell proposing an interior side yard of 0.44m (approx. 1.44ft) whereas By-law 0225-2007, as amended, permits a maximum 1.86m (approx. 6.10ft) in this instance.

R. Sajkunovic , 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 March 8, 2019)
- City of Mississauga, Transportation and Works Department (dated March 8, 2019)
- Region of Peel (dated March 7, 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: J. Page SECONDED BY: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITIONS:

To allow the construction of a stairwell proposing an interior side yard of 0.44m whereas By-law 0225-2007, as amended, permits a maximum 1.86m in this instance.

CONDITION(S):

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

Committee Decision dated at the City of Mississauga on March 28, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"J. KWAST"</u> J. KWAST
<u>"D. COOK"</u> D. COOK	

I certify this is copy of the decision of the Committee's decision given on March 28, 2019

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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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 **April 17, 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 **HUSEYIN AVNI TANPOLAT** for the property located at **63 TROY STREET**.
Date of Hearing on Thursday March 21, 2019
Date Decision Signed by the Committee March 28, 2019

The hearing commenced at approximately 1:38p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:21p.m.

APPLICATION DETAILS

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

1. An interior side yard (easterly) measured to the second storey of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a second storey of 1.81m (approx. 5.94ft) in this instance; and
2. An interior side yard (westerly) measured to the second storey of 1.33m (approx. 4.36ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a second storey of 1.81m (approx. 5.94ft) 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 March 8, 2019)
- City of Mississauga, Transportation and Works Department (dated March 8, 2019)
- Region of Peel (dated March 7, 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.



MISSISSAUGA

File: "A" 91/19
WARD 1

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

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

The Decision of the Committee is:

APPLICATION APPROVED:

To approve a minor variance to allow the construction of a detached dwelling proposing:

1. An interior side yard (easterly) measured to the second storey of 1.20m whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a second storey of 1.81m in this instance; and
2. An interior side yard (westerly) measured to the second storey of 1.33m whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a second storey of 1.81m in this instance.

Committee Decision dated at the City of Mississauga on March 28, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"J. KWAST"</u> J. KWAST
<u>"D. COOK"</u> D. COOK	

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"S. KENNEY"

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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 **April 17, 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 **JAKARIYA VARACHHIA** for the property located at **14 YORK STREET**.
Date of Hearing on Thursday March 21, 2019
Date Decision Signed by the Committee March 28, 2019

The hearing commenced at approximately 1:38p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:23p.m.

APPLICATION DETAILS

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

1. A lot coverage of 32.32% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A gross floor area of 256.01sq.m (approx. 2755.67sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 235.74sq.m (approx. 2537.48sq.ft) in this instance; and
3. An interior side yard of 1.30m (approx. 4.27ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) in this instance.

J. Varachhia, owner, 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 March 8, 2019)
- City of Mississauga, Transportation and Works Department (dated March 8, 2019)
- Region of Peel (dated March 7, 2019)
- Toronto and Region Conservation Authority (dated March 14, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from the residents of 16 York Street, stating concerns for the subject application.

Committee asked questions of the owner 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 one area resident. 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: D. Cook SECONDED BY: W. Shahrukh CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow an addition proposing:

1. A lot coverage of 32.32% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A gross floor area of 256.01sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 235.74sq.m in this instance; and
3. An interior east side yard of 1.23m whereas By-law 0225-2007 as amended requires a minimum side yard of 1.81m in this instance; and,
4. An interior west side yard of 1.30m whereas By-law 0225-2007, as amended requires a minimum side yard of 1.81m in this instance.

Committee Decision dated at the City of Mississauga on March 28, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>ABSENT</u> J. PAGE	<u>"J. KWAST"</u> J. KWAST
<u>"D. COOK"</u> D. COOK	

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"S. KENNEY"

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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 **April 17, 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 **ZAHIDA & SYED RIZVI** for the property located at **1178 OGDEN AVENUE**.
Date of Hearing on Thursday March 21, 2019
Date Decision Signed by the Committee March 28, 2019

The hearing commenced at approximately 1:38p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:33p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance for the creation of an addition proposing:

1. A lot coverage of 41.46% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance;
2. A northerly side yard of 1.00m (approx. 3.28ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.93ft) to the ground floor and 1.81m (approx. 5.94ft) to the second floor in this instance;
3. A southerly side yard of 1.00m (approx. 3.28ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.93ft) to the ground floor and 1.81m to the second floor (approx. 5.94ft) in this instance;
4. A side yard measured to an air conditioning unit of 0.336m (approx. 1.10ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to an air conditioning unit of 0.61m (approx. 2.00ft) in this instance.

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

BACKGROUND

On August 9, 2018, M. Zaman, agent, attended and requested to defer the application to submit a building permit application.

The Committee consented to the request and deferred the application to the November 22, 2018 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated July 27, 2018)
- City of Mississauga, Transportation and Works Department (dated July 13, 2018)
- Region of Peel (dated July 30, 2018)

On November 22, 2018, M. Zaman, agent, attended and requested to defer the application to confirm required variances.

The Committee consented to the request and deferred the application to the March 21, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated November 13, 2018)
- City of Mississauga, Transportation and Works Department (dated November 9, 2018)
- Region of Peel (dated November 9, 2018)
- Letters of objection were received from 1001 Wales Avenue

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated March 8, 2019)
- City of Mississauga, Transportation and Works Department (dated March 8, 2019)
- Region of Peel (dated March 7, 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

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

Committee has taken into consideration correspondence received from one area resident. 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: J. Page SECONDED BY: W. Shahrukh CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To permit an addition proposing:

1. A lot coverage of 41.50% of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35%;
2. A northerly side yard of 1.05m measured to the first storey; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m to the first storey;
3. A southerly side yard of 1.22m measured to the second storey; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m measured to the second storey; and
4. A setback of 0.34m for the AC unit; whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m.

Committee Decision dated at the City of Mississauga on March 28, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"J. KWAST"</u> J. KWAST
<u>"D. COOK"</u> D. COOK	

I certify this is copy of the decision of the Committee's decision given on March 28, 2019

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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or email

Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **April 17, 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 **CHARLES FREY & CATHERINE BROW**
for the property located at **1063 GREENOAKS DRIVE.**
Date of Hearing on Thursday March 21, 2019
Date Decision Signed by the Committee March 28, 2019

The hearing commenced at approximately 1:38p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:37p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow the construction of a rear yard cabana and fireplace on the subject property proposing:

1. Two accessory structures whereas By-law 0225-2007, as amended, permits a maximum of one accessory structure in this instance;
2. A floor area of 36.98sq.m (approx. 398.05sq.ft) for an accessory structure whereas By-law 0225-2007, as amended, permits a maximum floor area of 10.00sq.m (approx. 107.64sq.ft) for an accessory structure in this instance;
3. A height of an accessory structure (cabana) of 4.065m (approx. 13.34ft) 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
4. A height of an accessory structure (fireplace) of 5.25m (approx. 17.22ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m (approx. 9.84ft) in this instance.

T. Fifield, agent, attended and presented evidence in support of the application.

BACKGROUND

On December 6, 2018, T. Fifield, agent, attended and requested to defer the application to address staff comments.

The Committee consented to the request and deferred the application to the March 21st, 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 23, 2018)
- A letter expressing concerns were received from the resident of 1084 Greenoaks Drive.


COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated March 8, 2019)
- City of Mississauga, Transportation and Works Department (dated March 8, 2019)
- Region of Peel (dated March 7, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- 
- A letter of no objection was received from the resident of 1067 Greenoaks Drive.

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

DECISION

Committee has taken into consideration correspondence received from two area residents. 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: J. Page SECONDED BY: D. Kennedy CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To approve a minor variance to allow the construction of a rear yard cabana and fireplace on the subject property proposing:

1. Two accessory structures whereas By-law 0225-2007, as amended, permits a maximum of one accessory structure in this instance;
2. A floor area of 36.98sq.m for an accessory structure whereas By-law 0225-2007, as amended, permits a maximum floor area of 10.00sq.m for an accessory structure in this instance;
3. A height of an accessory structure (cabana) of 4.07m whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m in this instance; and
4. A height of an accessory structure (fireplace) of 5.25m whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m in this instance.

Committee Decision dated at the City of Mississauga on March 28, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"J. KWAST"</u> J. KWAST
<u>"D. COOK"</u> D. COOK	

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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 **April 17, 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 **489419 ONTARIO INC** for the property located at **3550 WOLFEDALE**.
Date of Hearing on Thursday March 21, 2019
Date Decision Signed by the Committee March 28, 2019

The hearing commenced at approximately 1:38p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:43p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow a Body Rub Establishment in Unit 2 of the subject property proposing:

1. A Body Rub Establishment within 800m (approx. 2,625ft) of a Residential zone whereas By-law 0225-2007, as amended, requires a minimum separation distance of 800m to a Residential zone in this instance; and
2. 90 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 183 parking spaces in this instance.

N. Dell, agent, attended and presented evidence in support of the application.

BACKGROUND

N. Dell, agent, attended and requested to defer the application due to an error in the circulation of the public notice.

Committee consented to the request and deferred the application to the March 21st, 2019 hearing.

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated February 15, 2019)
- City of Mississauga, Transportation and Works Department (dated February 15, 2019)
- Region of Peel (dated February 15, 2019)
- Correspondence was received from the following residents who objected to the application: 3979 Teakwood Drive, 857 Messenger Meadow Drive, 895 Thistle Down Circle, 891 Thistle Down Circle, and one other area resident.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated March 8, 2019)
- City of Mississauga, Transportation and Works Department (dated March 8, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from the residents of 1107 Lakeshore Road East, 1370 Hurontario Street, 3979 Teakwood Drive, 857 Messenger Meadow Drive, 895 Thistle Down Circle, 891 Thistle Down Circle, 4012 Erindale Station Road, 471 Ginger Downs, 3037 Franze Drive, 860 Queensbridge Drive, 813 Queensbridge Drive, 816 Messenger Meadow Court, 853 Messenger Meadow Drive, 821 Queensbridge Drive, 881 Queensbridge Drive, 814 Queensbridge Drive, 819 Messenger Meadow Court, 842 Messenger Meadow Drive, 836 Messenger Meadow Drive, 838 Queensbridge Drive, 846 Queensbridge Drive, 870 Messenger Meadow Drive, 853 Queensbridge Drive, 833 Messenger Meadow Drive, 809 Queensbridge Drive, 888 Messenger Meadow Drive, 3309 Strabane Drive, 878 Messenger Meadow Drive, 911 Queensbridge Drive, 3312 Strabane Drive, 894 Queensbridge Drive, 705 Eaglemount Crescent, and one other area resident stating objections to the subject application.

The residents of 860 Queensbridge Drive, 854 Queensbridge Drive, 846 Queensbridge Drive, 4100 Bluegrass Court, 4078 Wycliffe Way, 3312 Strabane Drive, 3255 Strabane Drive, appeared before the Committee and objected the application.

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

DECISION

Committee has taken into consideration correspondence received from 36 area residents and 7 residents who presented at the hearing. 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: J. Page SECONDED BY: D. Cook CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow a Body Rub Establishment in Unit 2 of the subject property proposing:

1. A Body Rub Establishment within 800m of a Residential zone whereas By-law 0225-2007, as amended, requires a minimum separation distance of 800m to a Residential zone in this instance; and
2. 90 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 183 parking spaces in this instance.

Committee Decision dated at the City of Mississauga on March 28, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"J. KWAST"</u> J. KWAST
<u>"D. COOK"</u> D. COOK	

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"S. KENNEY"

SEAN KENNEY - SECRETARY-
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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.