

COMMITTEE OF ADJUSTMENT RESULTS



Location: COUNCIL CHAMBER
Hearing: MAY 23, 2019 AT 4:00 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-030/19	ELIZABETH BALLANTYNE KRAWEC	36 PINE AVE N	1	Approved (AC)
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DEFERRED APPLICATIONS - (CONSENT)

B-027/19	DERRY (ARI) LTD & DERRY AERO INC	3160 DERRY RD E	5	Approved (AC)
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NEW APPLICATIONS - (MINOR VARIANCE)

A-186/19	CHRISTOPHER & VANESSA FRIAS	251 HILLSIDE DR	11	Approved (AA)
A-187/19	SEWAK & RASHPAL DHANJAL	3351 LEHIGH CRES	5	Approved (AA, ACP)
A-188/19	SUNSET 6 INVESTMENTS INC	3447 CAWTHRA RD	3	D (Aug 15)
A-189/19	TRACEY MCDONALD	2319 MALDEN CRT	2	Approved
A-190/19	AMRA HOSEIN & SHAUN RAMRATTAN	1980 DEANHOME RD	2	Approved
A-191/19	JUNED PATEL, NAHID PATEL, ASMABANU USMANB GORI	27 NORTH ALARTON ST	5	D (July 25)
A-192/19	MICHAEL & BIN WONG	943 WHITTIER CRES	2	Approved
A-193/19 A-194/19	PINETREE DEVELOPMENTS INC	762 – 766 MONTBECK CRES	1	D (June 20)
A-195/19	HURONTARIO CORPORATE CENTRE	3624-3660 HURONTARIO ST	7	Approved
A-196/19	BINDER BRAR	1413 ALDO DR	2	Approved
A-197/19	2220554 ONTARIO LTD	526 SOUTH SERVICE RD	1	Approved (AT, ACP)

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 **ELIZABETH BALLANTYNE KRAWEC**
for the property located at **36 PINE AVENUE NORTH**.

Date of Hearing on Thursday May 23, 2019

Date Decision Signed by the Committee May 30, 2019

The hearing commenced at approximately 4:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:08p.m.

APPLICATION DETAILS

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.24m (23.75ft) and an area of approximately 329.90sq.m (3551.01sq.ft).

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated May 10, 2019)
- City of Mississauga, Transportation and Works Department (dated May 10, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated May 1, 2019)
- Region of Peel (dated May 13, 2019)
- Bell Canada, Right-of-Way (dated May 9, 2019)

CORRESPONDENCE & DISCUSSION

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

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

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: S. Patrizio SECONDED BY: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.24m and an area of approximately 329.90sq.m.

Committee Decision dated at the City of Mississauga on May 30, 2019.

<u>"S. PATRIZIO"</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 May 30, 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: June 3, 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 **June 23, 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 **June 3, 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.
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 May 10, 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 May 1, 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: May 10, 2019

RE: **Applicant:** Elizabeth Ballantyne Krawec
Date of Hearing: May 23, 2019
Address: 36 Pine Ave. North
Our File: 'B' 30/19, Ward 1 (Z-8)

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

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

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

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

B. General Information

1. Lot Grading and Drainage

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

2. Servicing

All costs incurred in providing any service laterals will be the responsibility of the owner. The owner will also be responsible for all costs incurred for the required road reinstatement (if required). If the service connections are to be installed by a private

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

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 450mm storm sewer on Pine Avenue North.

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: May 1st, 2019

FILES: "B" 30/19

SUBJECT: CONSENT APPLICATION
36 PINE AVENUE NORTH
ELIZABETH BALLANTYNE KRAWEC
WARD 1
MAY 23rd, 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 Pine Avenue North. 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 53 of The Planning Act R.S.O. 1990, C.P.13, as amended.

Application by **DERRY (ARI) LTD & DERRY AERO INC**
for the property located at **3160 DERRY ROAD EAST**.

Date of Hearing on Thursday May 23, 2019

Date Decision Signed by the Committee May 30, 2019

The hearing commenced at approximately 4:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:11p.m.

APPLICATION DETAILS

The applicants request the approval of the Committee to sever a parcel of land for the creation of a new lot and easements. The parcel of land has a frontage of approximately 77.93m (255.68ft) and an area of approximately 4.53ha (11.19 acres).

G. Broll, agent, attended and presented evidence and comment in support of the application.

BACKGROUND

On May 2, 2019, G. Broll, agent, attended and presented evidence in support of the application. D. Martin, Manager, Transportation & Works, attended and indicated that his department is requesting a deferral in order to receive necessary environmental reports. The agent indicated that he would be open to a condition to satisfy Transportation and Works to allow the application to move forward.

Committee asked questions of D. Martin regarding what the reports would indicate and why they were necessary.

The agent requested to defer the application to meet with the Ward Councillor and Transportation & Works.

The Committee consented to the request and deferred the application to the June 13th, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated April 22, 2019)
- City of Mississauga, Transportation and Works Department (dated April 18, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated April 17, 2019)
- Region of Peel (dated April 17, 2019)
- Bell Canada, Right-of-Way (dated April 4, 2019)

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated May 10, 2019)
- City of Mississauga, Transportation and Works Department (dated May 14, 2019)

CORRESPONDENCE & DISCUSSION

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

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

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: S. Patrizio SECONDED BY: D. George 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 and easements. The parcel of land has a frontage of approximately 77.93m and an area of approximately 4.53ha.

Committee Decision dated at the City of Mississauga on May 30, 2019.

<u>"S. PATRIZIO"</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. KWAIST"</u> J. KWAIST
<u>"D. COOK"</u> D. COOK	

I certify this is copy of the decision of the Committee's decision given on May 30, 2019.

"S. KENNEY"

For a signed copy of this document

SEAN KENNEY - SECRETARY-
TREASURER

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: June 3, 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 **June 23, 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 **June 3, 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.
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 May 14, 2019.
5. 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 April 17, 2019.
6. A letter shall be received from Bell Canada indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 4, 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: May 14, 2019

RE: **Applicant:** Derry (ARI) Ltd. & Derry Aero Inc
Date of Hearing: May 23, 2019
Location: 3160 Derry Rd E
Our File: 'B' 27/19, Ward 5

We note for Committee's information that the subject property was previously the subject of a Consent application under File 'B'21/15 which created the subject lot. Under the previous application, environmental contamination issues were identified on the lands to be retained by the original owner and satisfactory arrangements were made with the City through an Agreement and securities to allow for the approval of the previous severance application. The severed lands which are the subject of the current application were to be reviewed through future applications. Through the current consent application, this department seeks to address the source contamination issues on the retained and possibly severed lands.

Should Committee see merit in the subject application, we are providing the following conditions/requirements that will have to be addressed to the satisfaction of this department prior to the issuance of final consent:

A. Items Required Prior to the Issuance of Final Consent

1. Updated Environmental Report reflecting Current Environmental Site Conditions
Acknowledging the environmental contamination concerns identified in the previous application, this department requires a revised Environmental Report to determine the current status of contaminants within the site. The previous reports submitted with the application have not provided sufficient information to properly evaluate the application. One of environmental issue relates to impacts to the municipal storm sewer system from localized contaminated groundwater infiltration in Areas of Potential Environmental Concern (APEC) 3, 4 and 5, as referenced in the reports.

As a result, the following additional information is requested:

- The entire extent of the storm sewer needs to be identified on the figures provided as part of all future environmental reports.
- APECs and approximate VOC and PHC extent must be shown on the same figures.

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

- The 2012 Phase I ESA prepared by CRA (now known as GHD) indicates that floor drains and catch basins in the main building were plugged in the 1990s; however, it is noted that some drains remain unplugged.
 - Therefore, a description of the connectivity of all floor drains, the current state of the integrity of plug material and confirmation that no impacted drainage water is entering the storm sewer system, is requested.
- A Qualified Person ("QP", as defined in O. Reg. 153/04, as amended) to evaluate and assess potential contamination impacts including, but not limited to, the following:
 - Potential impacts to storm sewers in these areas are to be evaluated by a QP to provide assurance that there are no potential impacts or that any future potential impacts will be effectively mitigated with a description of mitigation measures.
 - The potential off-site contamination from APEC 5 should be evaluated and discussed.
 - Description of any remediation actions on the retained parcel, if applicable.
 - Description of the groundwater monitoring and reporting program.
 - Contingency and communication plan in the event of detection of contamination exceedances that may impact the storm sewer system.
- All of the above findings must be summarized in one report which is signed and dated by a QP. The report must also include a reliance letter.

2. Possible Execution of an Agreement and provisions for Securities

The provisional consent may be conditional upon the execution of an Agreement between Derry (ARI) Ltd. & Derry Aero Inc. and the City of Mississauga and for the provision of securities (to the satisfaction of the City) to address any environmental concerns associated with the subject property and also to address any potential off site contamination within the City's storm sewer easement, if required.

3. Establishment of Servicing Easements

As it appears the existing private storm sewer system will traverse from the retained lands through the proposed severed lands, satisfactory arrangements will have to be made with this department for the establishment of any required easement(s) for storm sewer over the severed or retained lands in the location of the existing storm sewer.

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 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

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

April 17, 2019

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
 May 2nd, 2019**

Consent Application: B-027/19

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/shared servicing agreements.

Condition: 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

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

Bell Canada
Fl-2, 140 Bayfield St.
Barrie, Ontario
L4M 3B1

Fax: 705-722-2263
Tel: 705-722-2244
E-mail: carrie.gordon@bell.ca

April 4, 2019

Mississauga Committee of Adjustment
Office of the City Clerk
300 City Centre Drive
Mississauga, ON
L5B 3C1

Attention: Secretary-Treasurer
Email only: committee.adjustment@mississauga.ca

Dear Sir/Madame:

Subject: Application for Consent – Severance
3160 Derry Rd E
CofA File: B027/19 W5

Bell File: 905-19-159

Subsequent to review of the above noted Consent Application by our local Engineering Department it has been identified that Bell Canada will require a transfer of easement over these lands, to protect existing buried and building facilities, supply service to the properties and to maintain service in the area.

Bell Canada would like to confirm that we will require a blanket easement over the severed part as identified on the severance sketch in order to protect our existing facilities.

Since the easement is necessary in order to provide and maintain service to the area, all costs associated with this transaction will be the responsibility of the Owner.

We hope this proposal meets with your approval and request a copy of the Committee of Adjustments decision. We look forward to the owners Solicitor contacting us.

If there are any questions or concerns, please do not hesitate to call.

Yours truly,

Carrie Gordon
Right of Way Associate

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 **CHRISTOPHER & VANESSA FRIAS**
for the property located at **251 HILLSIDE DRIVE.**

Date of Hearing on Thursday May 23, 2019

Date Decision Signed by the Committee May 30, 2019

The hearing commenced at approximately 4:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:13p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow an in ground pool in the front yard whereas By-law 0225-2007, as amended, does not permit an in ground pool in the front yard in this instance.

C. & V. Frias, co-owners of the property, attended and presented evidence and comment in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated May 10, 2019)
- City of Mississauga, Transportation and Works Department (dated May 10, 2019)
- Region of Peel (dated May 13, 2019)

CORRESPONDENCE & DISCUSSION

No resident comments were received as a result of the public circulation of this 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 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: G. George SECONDED BY: J. Kwast CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow an in ground pool in the front yard, proposing a minimum of 1.5m setback to all lot lines, whereas By-law 0225-2007, as amended, does not permit an in ground pool in the front yard in this instance.

Committee Decision dated at the City of Mississauga on May 30, 2019.

<u>"S. PATRIZIO"</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 May 30, 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 **June 19, 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 **SEWAK & RASHPAL DHANJAL**
for the property located at **3351 LEHIGH CRESCENT.**

Date of Hearing on Thursday May 23, 2019

Date Decision Signed by the Committee May 30, 2019

The hearing commenced at approximately 4:00p.m.

No Member declared a pecuniary interest for this application.

Mr. Ms. declared a pecuniary interest in the application. He She left the hearing room and did not participate in the proceedings in any manner.

The subject application was heard at approximately 4:16p.m.

APPLICATION DETAILS

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

1. A gross floor area of 315.18sq.m (approx. 3,392.68sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 261.15sq.m (approx. 2,811.09sq.ft) in this instance;
2. A height measured to the eaves of 6.66m (approx. 21.85ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance; and
3. A side yard measured to the second storey of 1.23m (approx. 4.04ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the second storey of 1.81m (approx. 5.94ft) in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated May 10, 2019)
- City of Mississauga, Transportation and Works Department (dated May 10, 2019)
- Region of Peel (dated May 13, 2019)

CORRESPONDENCE & DISCUSSION

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

One area resident appeared before the Committee and expressed support for 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 1 resident who presented at the hearing and 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: W. Shahrukh CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITIONS:

To allow the construction of an addition to the subject property proposing:

1. A gross floor area of 315.18sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 261.15sq.m in this instance;
2. A height measured to the eaves of 6.66m whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m in this instance;
3. A side yard measured to the second storey of 1.23m on the southwest side whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the second storey of 1.81m in this instance; and
4. A side yard measured to the second storey of 1.25m on the northeast side whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the second storey of 1.81m in this instance.

CONDITION(S):

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 May 30, 2019.

<u>"S. PATRIZIO"</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 May 30, 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 **June 19, 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 **TRACEY MCDONALD** for the property located at **2319 MALDEN COURT**.
Date of Hearing on Thursday May 23, 2019
Date Decision Signed by the Committee May 30, 2019

The hearing commenced at approximately 4:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:22p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the construction of an addition on the subject property proposing a side yard of 1.27m (approx. 4.17ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated May 10, 2019)
- City of Mississauga, Transportation and Works Department (dated May 10, 2019)
- Region of Peel (dated May 13, 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: D. Cook CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of an addition on the subject property proposing a side yard of 1.27m 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 May 30, 2019.

<u>"S. PATRIZIO"</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. KWAIST"</u> J. KWAIST
<u>"D. COOK"</u> D. COOK	

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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 **June 19, 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 **AMRA HOSEIN & SHAUN RAMRATTAN**
for the property located at **1980 DEANHOME ROAD.**

Date of Hearing on Thursday May 23, 2019

Date Decision Signed by the Committee May 30, 2019

The hearing commenced at approximately 4:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:24p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow an addition proposing a rear yard setback of 1.78m (approx. 5.84ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 3.00m (approx. 9.84ft) in this instance.

S. Ramrattan & A. Hosein, co-owners of the property, attended and presented evidence and comment in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated May 10, 2019)
- City of Mississauga, Transportation and Works Department (dated May 10, 2019)
- Region of Peel (dated May 13, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from two area residents expressing support for the subject application.

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

DECISION

Committee has taken into consideration correspondence received from 2 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: S. Patrizio SECONDED BY: W. Shahrukh CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow an addition proposing a rear yard setback of 1.78m whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 3.00m in this instance.

Committee Decision dated at the City of Mississauga on May 30, 2019.

<u>"S. PATRIZIO"</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. KWAIST"</u> J. KWAIST
<u>"D. COOK"</u> D. COOK	

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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 **June 19, 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 **MICHAEL & BIN WONG** for the property located at **943 WHITTIER CRESCENT**.
Date of Hearing on Thursday May 23, 2019
Date Decision Signed by the Committee May 30, 2019

The hearing commenced at approximately 4:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:30p.m.

APPLICATION DETAILS

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

1. A height to the highest ridge of 10.06m (approx. 33.01ft) whereas By-law 0225-2007, as amended, permits a maximum height to the highest ridge of 9.50m (approx. 31.17ft) in this instance; and
2. A height to the eaves of 7.65m (approx. 25.10ft) whereas By-law 0225-2007, as amended, permits a maximum height to the eaves of 6.40m (approx. 21.00ft) in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated May 10, 2019)
- City of Mississauga, Transportation and Works Department (dated May 10, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated May 10, 2019)
- Region of Peel (dated May 13, 2019)
- Credit Valley Conservation (dated May 8, 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: S. Patrizio SECONDED BY: J. Kwast CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of an addition on the subject property proposing:

1. A height to the highest ridge of 10.06m whereas By-law 0225-2007, as amended, permits a maximum height to the highest ridge of 9.50m in this instance; and
2. A height to the eaves of 7.65m whereas By-law 0225-2007, as amended, permits a maximum height to the eaves of 6.40m in this instance.

Committee Decision dated at the City of Mississauga on May 30, 2019.

<u>"S. PATRIZIO"</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	

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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 **June 19, 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 **HURONTARIO CORPORATE CENTRE** for the property located at
3624-3660 HURONTARIO STREET.

Date of Hearing on Thursday May 23, 2019

Date Decision Signed by the Committee May 30, 2019

The hearing commenced at approximately 4:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:33p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow a personal service use on the sixth floor of the subject property whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated May 10, 2019)
- City of Mississauga, Transportation and Works Department (dated May 10, 2019)
- Region of Peel (dated May 13, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from one area resident expressing concerns regarding the subject application.

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

DECISION

Committee has taken into consideration correspondence received from 1 area resident and 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. Cook CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow a personal service use on the sixth floor of the subject property whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

Committee Decision dated at the City of Mississauga on May 30, 2019.

<u>"S. PATRIZIO"</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. KWAIST"</u> J. KWAIST
<u>"D. COOK"</u> D. COOK	

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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 **June 19, 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 **BINDER BRAR** for the property located at **1413 ALDO DRIVE**.
Date of Hearing on Thursday May 23, 2019
Date Decision Signed by the Committee May 30, 2019

The hearing commenced at approximately 4:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:37p.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 proposing a gross floor area - infill residential of 583.87sq.m (approx. 6,284.72sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 537.87sq.m (approx. 5,789.58sq.ft) in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated May 10, 2019)
- City of Mississauga, Transportation and Works Department (dated May 10, 2019)
- Region of Peel (dated May 13, 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: W. Shahrukh SECONDED BY: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of a new house on the subject property proposing a gross floor area - infill residential of 583.87sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 537.87sq.m in this instance.

Committee Decision dated at the City of Mississauga on May 30, 2019.

<u>"S. PATRIZIO"</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	

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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 **June 19, 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 **2220554 ONTARIO LTD** for the property located at **526 SOUTH SERVICE ROAD**.
Date of Hearing on Thursday May 23, 2019
Date Decision Signed by the Committee May 30, 2019

The hearing commenced at approximately 4:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:39p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the retail sales and outdoor display of 15 used motor vehicles accessory to the existing motor vehicle repair facility-restricted, whereas By-law 0225-2007, as amended, does not permit the retail sales of used motor vehicles and requires that all uses be contained within a building or structure in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated May 10, 2019)
- City of Mississauga, Transportation and Works Department (dated May 10, 2019)
- Region of Peel (dated May 13, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A memorandum was received from Ward Councillor Dasko expressing support for the subject application.
- Correspondence was received from two area residents expressing objections to the subject application.
- Correspondence was received from two area residents expressing support for the subject application.
- A petition was received through the agent signed by 73 area residents.
- Letters of support were received through the agent from 30 area residents.

Committee asked questions of the agent who appeared before the Committee regarding the scale of the existing operation on the site, the layout of the site and the access to the site.

Two area residents appeared before the Committee and expressed support for the application.

S. Suleymanof, the business owner, appeared before the Committee and assured that the cars would be parked on the site as per the Site Plan shown by the agent.

DECISION

Committee has taken into consideration correspondence received from 4 area residents and 2 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: S. Patrizio SECONDED BY: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITIONS FOR A TEMPORARY PERIOD OF 3 YEARS (approval will lapse on June, 30, 2022):

To allow the retail sales and outdoor display of 15 used motor vehicles accessory to the existing motor vehicle repair facility-restricted, whereas By-law 0225-2007, as amended, does not permit the retail sales of used motor vehicles and requires that all uses be contained within a building or structure in this instance.

CONDITION(S):

1. Operation of this site shall occur in general conformance with the Site Plan approved by the Committee.
2. There shall be no advertising of the used cars for sale.

Committee Decision dated at the City of Mississauga on May 30, 2019.

<u>"S. PATRIZIO"</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. KWAIST"</u> J. KWAIST
<u>"D. COOK"</u> D. COOK	

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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.