

COMMITTEE OF ADJUSTMENT RESULTS



Location: COUNCIL CHAMBER
Hearing: MAY 30, 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

MOTIONS

A132/19 – 11 Kneseboro St. Applicant requests to move from July 11 to July 18 due to scheduling conflicts.

NEW APPLICATIONS - (CONSENT)

B-031/19	KINGSMEN (LAKESHORE) INC.	0 LAKESHORE RD E (1060-1115 DOUGLAS MCCURDY COMM)	1	Approved (AC)
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DEFERRED APPLICATIONS - (CONSENT)

B-003/19 A-005/19 A-006/19	RAVINDRA & CHANDRA CHANDOK	1166 MONA RD	1	D (Aug 15)
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NEW APPLICATIONS - (MINOR VARIANCE)

A-136/19	WENDY EDWARDS, LAWRENCE SCOTT	1700 BIRCHWOOD DR	2	Approved
A-198/19	RANEE SZUHAI	58 LAKE ST	1	Approved
A-199/19	CITY OF MISSISSAUGA	777 SILVER BIRCH TR	2	Approved
A-200/19	EXPRESSROOTER INC	1095-1097 LAKESHORE RD E	1	D (Sept 12)
A-201/19	GINO GUERCIO & BEATRIZ FUENTES	1424 ELAINE TR	1	Approved (ACP, AA)
A-202/19	AVTAR NIJJAR	43 HANSON RD	7	Approved
A-203/19	1900 DUNDAS STREET WEST MISSISSAUGA INC.	1900 DUNDAS ST W	8	Approved (AC)
A-204/19	WAYNE & JANICE BOSSERT	1583 WATERSEDGE RD	2	Approved
A-205/19	REGAL PROPERTY INVESTMENTS LTD	1801 SHAWSON DR	5	Approved (AA)
A-206/19	CARLRO HOLDINGS LIMITED	6915 DIXIE RD	5	Approved
A-207/19	HARDCO REAL ESTATE HOLDINGS LTD	1180 AEROWOOD DR	5	D (June 20)
A-208/19	2495269 ONTARIO INC	2855 DERRY RD E	5	Approved

DEFERRED APPLICATIONS (MINOR VARIANCE)

A-072/19	SHL HOLDINGS LTD & 1112396 ONTARIO LTD	6981-6991 MILLCREEK DR	9	Approved (AA)
A-140/19	2428618 ONTARIO INC	7255 TORBRAM RD	5	Approved (ACP)
A-099/19	JOSEPH LONCAR & SYLVIA ANDREA SANCHEZ VILLENEUVE	233 LAKESHORE RD E	1	Approved (AA)

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 **KINGSMEN (LAKE SHORE) INC** for the property located at
0 LAKE SHORE ROAD EAST & 1060-1115 DOUGLAS MCCURDY COMMON.

Date of Hearing on Thursday May 30, 2019
Date Decision Signed by the Committee June 6, 2019

The hearing commenced at approximately 1:32p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:39p.m.

APPLICATION DETAILS

The applicant requests the approval of the Committee to create easements on the subject property. The easements have widths of approximately 2.00m (6.56ft) and a cumulative area of approximately 73.30sq.m (788.99sq.ft).

M. Luchich, 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 23, 2019)
- City of Mississauga, Transportation and Works Department (dated May 17, 2019)
- Region of Peel (dated May 17, 2019)
- Credit Valley Conservation (dated May 22, 2019)
- Bell Canada, Right-of-Way (dated April 26, 2019)

CORRESPONDENCE & DISCUSSION

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

One area resident appeared and asked questions regarding the proposed easement and future vehicular traffic.

Committee asked questions of the agent who appeared before the Committee regarding the easement and past public consultations.

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

DECISION

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

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

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

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

MOVED BY: D. George SECONDED BY: J. Page 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 create easements on the subject property. The easements have widths of approximately 2.00m and a cumulative area of approximately 73.30sq.m.

Committee Decision dated at the City of Mississauga on June 6, 2019. |

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

I certify this is copy of the decision of the Committee's decision given on June 6, 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 10, 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 30, 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 10, 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 17, 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 17, 2019

RE: **Applicant:** Kingsmen (Lakeshore) Inc.
Date of Hearing: May 30, 2019
Address: 1060-1115 Douglas McCurdy Common
Our File: 'B' 31/19, Ward 1 (Z-7)

This department has no objections to create the required easements. We note for Committee's information that The City of Mississauga is currently processing a Site Plan Application (SP 18/071) for the lands where Transportation and Works requirements pertaining to the construction of the new 13 story residential building and 7 blocks of stacked back-to-back townhouses are being addressed as well as a previous Rezoning Application (HOZ-11/017). Through the Site Plan application, this Department is asking for the private easements to be established in order to accommodate a link between this property and the property immediately to the south to allow any shared pedestrian access between the two properties.

In view of the above we have no objections to the applicant's request and are providing the following conditions/requirements for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Draft Reference Plan Required
A draft reference plan is to be submitted for our review/approval which would clearly show the location of all easements/rights-of-ways.
2. Required Easement(s)
The applicant/owner is to provide a letter prepared by their Solicitor which describes the new private easement(s) to be established for access purposes, servicing, etc. It should be acknowledged that any documentation received will be forwarded as an attachment to our clearance memo to the Committee of Adjustment so that any new proposed private easement can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

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

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 **WENDY EDWARDS & LAWRENCE SCOTT** for the property located at
1700 BIRCHWOOD DRIVE.

Date of Hearing on Thursday May 30, 2019
Date Decision Signed by the Committee June 6, 2019

The hearing commenced at approximately 1:32p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:45p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow the construction of a covered deck proposing:

1. A rear yard of 2.55m (approx. 8.37ft) whereas By-law 0225-2007, as amended, requires a rear yard of 7.50m (approx. 24.60ft) in this instance; and
2. A dwelling depth of 25.71m (approx. 84.35ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance.

G. Barrett, 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 23, 2019)
- City of Mississauga, Transportation and Works Department (dated May 16, 2019)
- Region of Peel (dated May 17, 2019)
- Credit Valley Conservation (dated May 14, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A petition of support was received through the agent signed by 3 area residents.

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: W. Shahrukh CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of a covered deck proposing:

1. A rear yard of 2.55m whereas By-law 0225-2007, as amended, requires a rear yard of 7.50m in this instance; and
2. A dwelling depth of 25.71m whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m in this instance.

Committee Decision dated at the City of Mississauga on June 6, 2019.

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

I certify this is copy of the decision of the Committee's decision given on June 6, 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 26, 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 **RANEE SZUHAI** for the property located at **58 LAKE STREET**.

Date of Hearing on Thursday May 30, 2019

Date Decision Signed by the Committee June 6, 2019

The hearing commenced at approximately 1:32p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:48p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing a rear yard of 4.50m (approx. 14.76ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance.

B. Naghash, 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 23, 2019)
- City of Mississauga, Transportation and Works Department (dated May 16, 2019)
- Region of Peel (dated May 17, 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. Cook CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

to allow the construction of an addition proposing a rear yard of 4.50m whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m in this instance.

Committee Decision dated at the City of Mississauga on June 6, 2019.

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

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 **CITY OF MISSISSAUGA** for the property located at **777 SILVER BIRCH TRAIL**.
Date of Hearing on Thursday May 30, 2019
Date Decision Signed by the Committee June 6, 2019

The hearing commenced at approximately 1:32p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:50p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the construction of a sewage pumping station proposing to not build in accordance with the R2-1 Zone whereas By-law 0225-2007, as amended, requires building in accordance with the R2-1 Zone in this instance.

P. Dagenais & J. Chong, agents, 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 23, 2019)
- City of Mississauga, Transportation and Works Department (dated May 16, 2019)
- Region of Peel (dated May 17, 2019)
- Credit Valley Conservation (dated April 29, 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: W. Shahrukh CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of a sewage pumping station proposing to not build in accordance with the R2-1 Zone whereas By-law 0225-2007, as amended, requires building in accordance with the R2-1 Zone in this instance.

Committee Decision dated at the City of Mississauga on June 6, 2019.

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

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SEAN KENNEY - SECRETARY-
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or email

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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 26, 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 **GINO GUERCIO & BEATRIZ FUENTES**

for the property located at **1424 ELAINE TRAIL.**

Date of Hearing on Thursday May 30, 2019

Date Decision Signed by the Committee June 6, 2019

The hearing commenced at approximately 1:32p.m.

No Member declared a pecuniary interest for this application.

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

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow an two storey dwelling proposing:

1. A gross floor area of 432.33sq.m (approx. 4,653.57sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 391.72sq.m (approx. 4,216.44sq.ft) in this instance;
2. A combined side yard of 6.21m (approx. 20.37ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard of 7.16m (approx. 23.49ft) in this instance;
3. A height measured to the eaves of 6.99m (approx. 22.93ft) 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
4. A maximum building height of 10.14m (approx. 33.27ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.50m (approx. 31.17ft) in this instance.

G. Lolos, 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 23, 2019)
- City of Mississauga, Transportation and Works Department (dated May 16, 2019)
- Region of Peel (dated May 17, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from one area resident expressing an objection to the subject application.
- Correspondence was received from one area resident expressing no objection to the subject application.

One area resident appeared before the Committee and expressed concerns regarding the removal of trees as well as privacy.

One area resident appeared before the Committee and expressed concerns regarding the proposed size of the development including floor area and height.

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

G. Guercio, co-owner of the property, appeared before the Committee and explained how he had approached the neighbours.

Committee asked questions of the co-owner who appeared before the Committee regarding the proposed tree plantings.

DECISION

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

Committee has taken into consideration correspondence received from 2 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: J. Page SECONDED BY: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITIONS:

To allow an two storey dwelling proposing:

1. A gross floor area of 432.33sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 391.72sq.m in this instance;
2. A combined side yard of 23% (6.21m) whereas By-law 0225-2007, as amended, requires a minimum combined side yard of 27% (7.16m) in this instance;
3. A height measured to the eaves of 6.99m whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m in this instance; and
4. A maximum building height of 10.14m whereas By-law 0225-2007, as amended, permits a maximum building height of 9.50m in this instance.

CONDITION(S):

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

Committee Decision dated at the City of Mississauga on June 6, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	ABSENT D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	ABSENT 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 **June 26, 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 **AVTAR NIJJAR** for the property located at **43 HANSON ROAD**.
Date of Hearing on Thursday May 30, 2019
Date Decision Signed by the Committee June 6, 2019

The hearing commenced at approximately 1:32p.m.

No Member declared a pecuniary interest for this application.

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

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow an addition proposing a side yard measured to a below grade entrance of 0.79m (approx. 2.59ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a below grade entrance of 1.20m (approx. 3.94ft) in this instance.

A. Vaid, 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 20, 2019)
- City of Mississauga, Transportation and Works Department (dated May 16, 2019)
- Region of Peel (dated May 17, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A petition of support was received through the agent signed by 2 area residents.

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: W. Shahrukh CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow an addition proposing a side yard measured to a below grade entrance of 0.79m whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a below grade entrance of 1.20m in this instance.

Committee Decision dated at the City of Mississauga on June 6, 2019.

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

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 **1900 DUNDAS STREET WEST MISSISSAUGA INC.**
for the property located at **1900 DUNDAS STREET WEST.**
Date of Hearing on Thursday May 30, 2019
Date Decision Signed by the Committee June 6, 2019

The hearing commenced at approximately 1:32p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:32p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the continued operation of an outdoor patio accessory to an existing restaurant 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 23, 2019)
- City of Mississauga, Transportation and Works Department (dated May 16, 2019)
- Region of Peel (dated May 17, 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: J. Page CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITIONS:

To allow the continued operation of an outdoor patio accessory to an existing restaurant whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

CONDITION(S):

1. There shall be no music, live or otherwise or speakers permitted in the patio area.
2. The patio shall be closed by midnight daily.

Committee Decision dated at the City of Mississauga on June 6, 2019.

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

I certify this is copy of the decision of the Committee's decision given on June 6, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **June 26, 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 **WAYNE & JANICE BOSSERT** for the property located at
1583 WATERSEdge ROAD.

Date of Hearing on Thursday May 30, 2019
Date Decision Signed by the Committee June 6, 2019

The hearing commenced at approximately 1:32p.m.

No Member declared a pecuniary interest for this application.

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

APPLICATION DETAILS

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

1. A height measured to the eaves of 7.02m (approx. 23.03ft) 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
2. A garage projection of 2.20m (approx. 7.22ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m 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 23, 2019)
- City of Mississauga, Transportation and Works Department (dated May 16, 2019)
- Region of Peel (dated May 17, 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: W. Shahrukh CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of a new home on the subject property proposing:

1. A height measured to the eaves of 7.02m whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m in this instance; and
2. A garage projection of 2.20m whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance.

Committee Decision dated at the City of Mississauga on June 6, 2019.

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

I certify this is copy of the decision of the Committee's decision given on June 6, 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 26, 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 **REGAL PROPERTY INVESTMENTS LTD** for the property located at **1801
SHAWSON DRIVE.**

Date of Hearing on Thursday May 30, 2019
Date Decision Signed by the Committee June 6, 2019

The hearing commenced at approximately 1:32p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:38p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the operation of a commercial motor vehicle repair facility with accessory office proposing:

1. 15 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 25 parking spaces in this instance; and
2. An aisle width of 6.70m (approx. 21.98ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.96ft) in this instance.

N. Dell, 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 20, 2019)
- City of Mississauga, Transportation and Works Department (dated May 16, 2019)
- Region of Peel (dated May 17, 2019)

CORRESPONDENCE & DISCUSSION

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

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

DECISION

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

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow the operation of a commercial motor vehicle repair facility with accessory office proposing:

1. 15 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 25 parking spaces in this instance;
2. An aisle width of 6.70m whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m in this instance; and
3. A parking area and driveway to be located on unstable surface (gravel); whereas By-law 0225-2007, as amended, requires all parking area and driveways to be located on hard-surfaced material.

Committee Decision dated at the City of Mississauga on June 6, 2019.

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

I certify this is copy of the decision of the Committee's decision given on June 6, 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 26, 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 **CARLRO HOLDINGS LIMITED** for the property located at **6915 DIXIE ROAD**.
Date of Hearing on Thursday May 30, 2019
Date Decision Signed by the Committee June 6, 2019

The hearing commenced at approximately 1:32p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:42p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the existing plaza to remain proposing 177 parking spaces for all uses on site whereas By-law 0225-2007, as amended, requires a minimum of 533 parking spaces for all uses on site in this instance.

N. Dell, 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 20, 2019)
- City of Mississauga, Transportation and Works Department (dated May 16, 2019)
- Region of Peel (dated May 17, 2019)
- Toronto Region Conservation (dated May 9, 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: J. Page CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the existing plaza to remain proposing 177 parking spaces for all uses on site whereas By-law 0225-2007, as amended, requires a minimum of 533 parking spaces for all uses on site in this instance.

Committee Decision dated at the City of Mississauga on June 6, 2019.

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

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TREASURER

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **June 26, 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 **2495269 ONTARIO INC** for the property located at **2855 DERRY ROAD EAST**.
Date of Hearing on Thursday May 30, 2019
Date Decision Signed by the Committee June 6, 2019

The hearing commenced at approximately 1:32p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:44p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the operation of a restaurant in Units 4 & 5 of the subject property proposing:

1. A restaurant within 60.00m (approx. 196.85ft) of a Residential zone whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.00m (approx. 196.85ft) to a Residential zone in this instance; and
2. 59 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 75 parking spaces in this instance.

L. Patel, 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 20, 2019)
- City of Mississauga, Transportation and Works Department (dated May 16, 2019)
- Region of Peel (dated May 17, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A letter of objection was received from one area business owner.

Committee asked questions of the agent who appeared before the Committee regarding the type of restaurant moving in.

One tenant of the property appeared before the Committee and objected to the subject application. Concerns included parking and emergency access.

DECISION

Committee has taken into consideration correspondence received from 1 area business owner and 1 member of the public 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: W. Shahrukh CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow the operation of a take-out restaurant in Units 4 & 5 of the subject property proposing:

1. A restaurant within 60.00m of a Residential zone whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.00m to a Residential zone in this instance; and
2. 59 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 75 parking spaces in this instance.

Committee Decision dated at the City of Mississauga on June 6, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	ABSENT D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	ABSENT 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 **June 26, 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 **SHL HOLDINGS LTD & 1112396 ONTARIO LTD**

for the property located at **6981-6991 MILLCREEK DRIVE.**

Date of Hearing on Thursday May 30, 2019

Date Decision Signed by the Committee June 6, 2019

The hearing commenced at approximately 1:32p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:57p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the expansion of the existing recreational use in units 8, 9 & 10 on the subject property into unit 11 proposing:

1. Parking for the entire use at a rate of 1.6 parking spaces per 100sq.m whereas By-law 0225-2007, as amended, requires parking to be provided at a rate of 4.5 parking spaces per 100 sq.m in this instance; and
2. 452 parking spaces for all uses on site whereas By-law 0225-2007, as amended, requires a minimum of 647 parking spaces for all uses on site in this instance.

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

BACKGROUND

B. Oughtred, agent, attended and requested defer the application to submit a parking justification study.

Committee consented to the request and deferred the application to the May 30th, 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)

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated May 20, 2019)
- City of Mississauga, Transportation and Works Department (dated May 16, 2019)
- Region of Peel (dated May 17, 2019)

CORRESPONDENCE & DISCUSSION

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

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

DECISION

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

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow the utilization of a Recreational Establishment within Unit 2 and the expansion of a Commercial School within units 8, 9 & 10 on the subject property into unit 11 proposing:

1. Parking for the entire use at a rate of 1.6 parking spaces per 100sq.m whereas By-law 0225-2007, as amended, requires parking to be provided at a rate of 4.5 parking spaces per 100 sq.m in this instance; and
2. 452 parking spaces for all uses on site whereas By-law 0225-2007, as amended, requires a minimum of 715 parking spaces for all uses on site in this instance.

Committee Decision dated at the City of Mississauga on June 6, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	ABSENT D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	ABSENT 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 **June 26, 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 **2428618 ONTARIO INC** for the property located at **7255 TORBRAM ROAD**.

Date of Hearing on Thursday May 30, 2019
Date Decision Signed by the Committee June 6, 2019

The hearing commenced at approximately 1:32p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:01p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to permit a motor vehicle repair facility - commercial motor vehicle whereas By-law 0225-2007, as amended, does not permit a motor vehicle repair facility - commercial motor vehicle use in this instance.

A. Walker, agent, attended and presented evidence and comment in support of the application.

BACKGROUND

On April 11, 2019, A. Walker, agent, attended and requested to defer the application to address staff concerns.

The Committee consented to the request and deferred the application to the May 30th, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated April 1, 2019)
- City of Mississauga, Transportation and Works Department (dated March 29, 2019)
- Region of Peel (dated March 28, 2019)
- A letter of objection was received from one area property owner.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated May 20, 2019)
- City of Mississauga, Transportation and Works Department (dated May 16, 2019)
- Region of Peel (dated May 17, 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 regarding landscaping and the exact nature and scale of the business.

One area business owner appeared before the Committee and expressed concerns regarding the impact of the business on their own neighbouring business and landscaping on the property.

An agent representing a neighbouring property owner appeared before the Committee and expressed concerns regarding the proposed operations of the business including environmental and noise impacts.

The agent on behalf of the applicant indicated that any requirement for plantings would be satisfied through the Site Plan Approval process.

Committee asked questions of the agent who appeared before the Committee regarding the grading of the land. The agent indicated that city requirements would require all drainage to be contained within the property.

DECISION

Committee has taken into consideration correspondence received from 1 area property owner and 2 members of the public 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. Cook CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITIONS:

To permit a motor vehicle repair facility - commercial motor vehicle whereas By-law 0225-2007, as amended, does not permit a motor vehicle repair facility - commercial motor vehicle use 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 June 6, 2019.

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

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"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 **June 26, 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 **JOSEPH LONCAR & SYLVIA ANDREA SANCHEZ VILLENEUVE**
for the property located at **233 LAKESHORE ROAD EAST.**
Date of Hearing on Thursday May 30, 2019
Date Decision Signed by the Committee June 6, 2019

The hearing commenced at approximately 1:32p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:27p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow the operation of a take-out restaurant on the subject property proposing:

1. One parking space whereas By-law 0225-2007, as amended, requires a minimum of six parking spaces in this instance;
2. A parking stall size of 2.54m x 5.54m (approx. 8.33ft x 18.18ft) whereas By-law 0225-2007, as amended, requires a minimum parking stall size of 2.60m x 5.20m (approx. 8.53ft x 17.06ft) in this instance;
3. Zero accessible parking spaces for the restaurant use whereas By-law 0225-2007, as amended, requires a minimum of one accessible parking space in this instance; and
4. A take-out restaurant to be located within 60m of a residential zone whereas By-law 0225-2007, as amended, requires that a restaurant not be located within 60m of a residential zone in this instance.

K. Gongalsky, agent, attended and presented evidence and comment in support of the application.

BACKGROUND

On March 21, 2019, K. Gongalsky, agent, attended presented evidence in support of the application. Upon being informed of staff comments the agent requested to defer the application to address staff concerns.

The Committee consented to the request and deferred the application to the May 9th, 2019 hearing.

Comments were received and entered into evidence from the following:

- 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)

On May 9, 2019, N. Dell, agent, attended and requested to defer the application to amend the application.

The Committee consented to the request and deferred the application to the May 30th, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated April 29, 2019)
- City of Mississauga, Transportation and Works Department (dated April 30, 2019)
- Region of Peel (dated April 26, 2019)

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated May 23, 2019)
- City of Mississauga, Transportation and Works Department (dated May 16, 2019)
- Region of Peel (dated May 17, 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 regarding the nature of the business.

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: J. Page SECONDED BY: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow the operation of a take-out restaurant on the subject property proposing:

1. Three parking space whereas By-law 0225-2007, as amended, requires a minimum of seven parking spaces in this instance;
2. A parking stall size of 2.54m x 5.54m whereas By-law 0225-2007, as amended, requires a minimum parking stall size of 2.60m x 5.20m in this instance;
3. Zero accessible parking spaces for the restaurant use whereas By-law 0225-2007, as amended, requires a minimum of one accessible parking space in this instance;
4. A take-out restaurant to be located within 60m of a residential zone whereas By-law 0225-2007, as amended, requires that a restaurant not be located within 60m of a residential zone in this instance; and
5. A parking aisle width of 0 m whereas By-law 0225-2007, as amended, requires a minimum parking aisle width of 7 m in this instance.

Committee Decision dated at the City of Mississauga on June 6, 2019.

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

I certify this is copy of the decision of the Committee's decision given on June 6, 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 26, 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.