

COMMITTEE OF ADJUSTMENT RESULTS



Location: COUNCIL CHAMBER
Hearing: JULY 11, 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

B35/19 & A230/19 & A231/19 (1043 Roosevelt Rd) – Agent has requested to withdraw the application (set for Aug 22)

NEW APPLICATIONS - (CONSENT)

B-038/19	RICHARD MUELLER & MALICA MARICH	9 MAPLE AVE N	1	Approved (AC)
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NEW APPLICATIONS - (MINOR VARIANCE)

A-250/19	HUSSEIN RAMADAN, HODA RAMADAN	3673 BLUESTREAM CRES	3	D (Sept 5)
A-251/19	1823700 ONTARIO INC	3390 WOLFEDALE RD	6	Approved
A-252/19	ALBURT LEFEVBRE	1535 GLENBURNIE RD	1	D (Sept 5)
A-253/19	CLAUDE & ANNE ANGELINI	226 LAKESHORE RD E	1	Approved (AA)
A-254/19	GRANT & DEBORAH DOAK	1263 WOODLAND AVE	1	Approved (AA, ACP)
A-255/19	GREG DUNCAN/ LIN-JEN HWANG	2575 EDENHURST DR	7	Approved
A-256/19	MOHAMMED PARMAR	7602 REDSTONE RD	5	Refused

DEFERRED APPLICATIONS - (MINOR VARIANCE)

A-384/18	IHSSAN ALI	3889 STONEHAM WAY	10	Approved (AA, ACP)
A-077/19	SHAOLIN LI, AIFEN CHEN	898 PARKLAND AVE	2	D (Sept 5)
A-131/19	BADAT AND SALEHA ISMAIL	3131 MERRITT AVE	5	Approved
A-154/19	HARPREET SINGH DHESI	897 FOURTH ST	1	Approved (ACP)
A-160/19	LIFE FOUNTAIN MINISTRIES INC	1606 SEDLESCOMB DR	3	D (Oct 3)
A-177/19	1251914 ONTARIO LIMITED	218 EXPORT BLVD	5	Approved (AC, ACP)
A-185/19	ZALOGA MYKOLA, YURIY LAZUTA & MARIA LEKH	1223 CANTERBURY RD	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 **RICHARD MUELLER & MALICA MARICH** for the property located at
9 MAPLE AVENUE NORTH.

Date of Hearing on Thursday July 11, 2019
Date Decision Signed by the Committee July 18, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:40p.m.

APPLICATION DETAILS

The applicants request the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.24m (23.75ft) and an area of approximately 330.00sq.m (3552.09sq.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 July 4, 2019)
- City of Mississauga, Transportation and Works Department (dated June 27, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated June 24, 2019)
- Region of Peel (dated June 27, 2019)
- Bell Canada, Right-of-Way (dated June 5, 2019)

CORRESPONDENCE & DISCUSSION

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

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

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

DECISION

Committee has taken into consideration, on balance, any and all submissions made before its decision.

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

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

The applicants request the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.24m and an area of approximately 330.00sq.m.

Committee Decision dated at the City of Mississauga on July 18, 2019

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

I certify this is copy of the decision of the Committee's decision given on July 18, 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: July 22, 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 **August 11, 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 July 22, 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 June 27, 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 June 24, 2019.
6. A letter shall be received from the Bell Canada indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated June 5, 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: June 27, 2019

RE: **Applicant:** Richard Mueller & Malica Marich
Date of Hearing: July 11, 2019
Address: 9 Maple Avenue North
Our File: 'B' 38/19 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.

2. Municipal Address Requirement

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

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

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

3. Access

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

4. Storm Sewer Outlet

The applicant is advised that the storm sewer outlet for this property is the existing 525mm diameter storm sewer within Maple Ave. 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: June 24, 2019

FILE: "B" 38/19

SUBJECT: CONSENT APPLICATION
9 MAPLE AVE N
RICHARD MUELLER & MALICA MARICH
WARD 1
JULY 11, 2019 PUBLIC HEARING OF THE COMMITTEE OF ADJUSTMENT

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

City of Mississauga Forestry Staff have attended the site and identified the following City owned trees within the municipal boulevard of 9 Maple Ave N:

- One (1) Colorado Spruce – 46 cm DBH Condition – Good
- One (1) Colorado Spruce – 47cm DBH Condition – Good

As per the Mississauga Official Plan, Section 6.3.41, the Urban Forest, which includes street trees, will be protected and managed with the goal of maintaining and increasing the city's canopy cover.

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

1. The Applicant shall make every effort to preserve street trees on Maple Ave N and appropriately locate the proposed driveways to limit their impact.
2. The Applicant shall provide tree protection securities in the amount of \$7,081.00 for the above noted trees.
3. The applicant shall provide framed tree hoarding to the dripline of the above noted trees prior to construction to the satisfaction of City of Mississauga Forestry Staff. Please call Ryan Cormier at 905-615-3200 ext. 4580 to arrange a hoarding inspection.
4. The applicant shall provide a cash contribution of \$574.50 for planting of one (1) street tree on Maple Ave N. 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 for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga.

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

2. Please be advised that upon the completion of the works, securities may be held for up to two years as determined by City of Mississauga Forestry Staff.
3. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes 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 Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538.

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

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

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

June 5, 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
9 Maple Ave N
MISSISSAUGA

Your File: B38/19 W1

Bell File: 905-19-240

We acknowledge receipt and thank you for your correspondence June 3, 2019.

Subsequent to review of the Severance 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 aerial facilities, supply service to the properties, and to maintain service in the area. According to our records, Bell's aerial cable runs along the north property boundary leading consisting of a pole and aerial cable running parallel to said property line as identified in the sketch provided.

Bell Canada would like to confirm that a blanket easement over the lands designated as 9 Maple Ave N., or a 3.0m wide corridor to be measured 1.5m on either side of the aerial facilities and to extend from the pole to a minimum of 2.0m past any anchor installation to be measured 0.5m on either side of the guy as can be accommodated would satisfy our needs.

Since the easement is necessary in order to provide and maintain service to this area, all costs associated with this transaction is the responsibility of the landowner. Compensation should be set to the nominal amount of \$2.00 for the acquisition of these rights. Additionally, Bell Canada requires separate, registered postponements for any mortgages and certification of title.

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

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

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

Yours truly,

Carrie Gordon
Right of Way Associate
(Encl.)



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 **1823700 ONTARIO INC** for the property located at **3390 WOLFEDALE ROAD**.
Date of Hearing on Thursday July 11, 2019
Date Decision Signed by the Committee July 18, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:44p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the construction of a new addition on the subject property proposing a side yard of 2.78m (approx. 9.12ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 6.21m (approx. 20.37ft) in this instance.

D. Di Cicco, 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 June 28, 2019)
- City of Mississauga, Transportation and Works Department (dated June 27, 2019)
- Region of Peel (dated June 27, 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, on balance, any and all submissions made before its decision. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

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

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of a new addition on the subject property proposing a side yard of 2.78m whereas By-law 0225-2007, as amended, requires a minimum side yard of 6.21m in this instance.

Committee Decision dated at the City of Mississauga on July 18, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"J. 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 July 18, 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 **August 7, 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 **CLAUDE & ANNE ANGELINI** for the property located at
226 LAKESHORE ROAD EAST.

Date of Hearing on Thursday July 11, 2019
Date Decision Signed by the Committee July 18, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:47p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow the existing shed on the subject property proposing a rear yard 0.53m (approx. 1.74ft) abutting a residential zone whereas By-law 0225-2007, as amended, requires a minimum side yard of 4.50m (approx. 14.76ft) abutting a residential zone in this instance.

L. Starr, 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 July 4, 2019)
- City of Mississauga, Transportation and Works Department (dated June 27, 2019)
- Region of Peel (dated June 27, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from one area resident expressing a concern regarding the subject 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, on balance, any and all submissions made before its decision including 1 written submission. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined 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. Kwast CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow the existing shed on the subject property proposing a rear yard 0.53m abutting a residential zone whereas By-law 0225-2007, as amended, requires a minimum rear yard of 4.50m abutting a residential zone in this instance.

Committee Decision dated at the City of Mississauga on July 18, 2019.

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

I certify this is copy of the decision of the Committee's decision given on July 18, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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please call 905-615-3200 ext. 2408

or

email Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **August 7, 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 **GRANT & DEBORAH DOAK** for the property located at **1263 WOODLAND AVENUE**.
Date of Hearing on Thursday July 11, 2019
Date Decision Signed by the Committee July 18, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:51p.m.

APPLICATION DETAILS

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

1. A gross floor area - infill residential of 574.50sq.m (approx. 6,183.87sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 505.90sq.m (approx. 5, 445.35q.ft) in this instance;
2. A combined side yard width measured to the eaves of 5.78m (approx.18.96ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width measured to the eaves of 7.00m (approx. 22.96ft) in this instance; and
3. A building height measured to the eaves of 7.73m (approx. 25.36ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

P. Pimentel, 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 July 4, 2019)
- City of Mississauga, Transportation and Works Department (dated June 27, 2019)
- Region of Peel (dated June 27, 2019)
- Credit Valley Conservation (dated June 19, 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 eave height, the proposed grading, and trees.

Committee asked questions of staff regarding the impact of the porches on Gross Floor Area calculations.

DECISION

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

Committee has taken into consideration, on balance, any and all submissions made before its decision. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

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

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITION(S):

To allow the construction of a new two storey dwelling on the subject property proposing:

1. A gross floor area - infill residential of 574.50sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 505.90sq.m in this instance;
2. A combined side yard width of side yards of 22.31% (5.78m) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 27.00% (7.00m) in this instance; and
3. An eave height of 7.73m whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m 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 July 18, 2019.

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

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"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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please call 905-615-3200 ext. 2408

or

email Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **August 7, 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 **GREG DUNCAN & LIN-JEN HWANG** for the property located at
2575 EDENHURST DRIVE.

Date of Hearing on Thursday July 11, 2019
Date Decision Signed by the Committee July 18, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:59p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to permit a second storey addition proposing:

1. A lot coverage of 35.75% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. An interior side yard measured to the eaves of 0.57m (approx. 1.87ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the eaves of 1.36m (approx. 4.46ft) in this instance;
3. An interior side yard measured to a second storey of 1.18m (approx. 3.87ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a second storey of 1.81m (approx. 5.94ft) in this instance; and
4. An interior side yard measured to a carport of 0.15m (approx. 0.49ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the a carport of 1.20m (approx. 3.94ft) in this instance.

P. Aiello, 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 June 28, 2019)
- City of Mississauga, Transportation and Works Department (dated June 27, 2019)
- Region of Peel (dated June 27, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A petition of support was submitted through the agent signed by four area residents.

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

DECISION

Committee has taken into consideration, on balance, any and all submissions made before its decision including 1 petition. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined 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 permit a second storey addition proposing:

1. A lot coverage of 35.75% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. An interior side yard measured to the eaves of 0.57m whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the eaves of 1.36m in this instance;
3. An interior side yard measured to a second storey of 1.18m whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a second storey of 1.81m in this instance; and
4. An interior side yard measured to a carport of 0.15m whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the a carport of 1.20m in this instance.

Committee Decision dated at the City of Mississauga on July 18, 2019.

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

I certify this is copy of the decision of the Committee's decision given on July 18, 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 **August 7, 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 **MOHAMMED PARMAR** for the property located at **7602 REDSTONE ROAD**.
Date of Hearing on Thursday July 11, 2019
Date Decision Signed by the Committee July 18, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:03p.m.

APPLICATION DETAILS

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

1. A lot coverage of 288.90sq.m (approx. 3,109.80sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 270.00sq.m (approx. 2,906.35sq.ft) in this instance;
2. A gross floor area of 506.23sq.m (approx. 5,449.19sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 344.37sq.m (approx. 3,706.89sq.ft) in this instance;
3. A height of 9.19m (approx. 30.15ft) whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) in this instance;
4. A dwelling depth of 22.85m (approx. 74.97ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
5. A front yard of 5.39m (approx. 17.68ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 6.00m (approx. 19.69ft) in this instance;
6. An exterior side yard of 5.76m (approx. 18.90ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00m (approx. 19.69ft) in this instance; and
7. An interior side yard of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) in this instance.

R. Sandhu, 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 June 28, 2019)
- City of Mississauga, Transportation and Works Department (dated June 27, 2019)
- Region of Peel (dated June 27, 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 size of the dwelling and the impacts on the bus stop adjacent to the property.

DECISION

Committee has taken into consideration, on balance, any and all submissions made before its decision. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is **not** minor in nature and that the general intent and purpose of the Zoning By-law and the Official Plan are **not** maintained.

Accordingly, the Committee resolves to refuse the request.

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

The Decision of the Committee is:

APPLICATION REFUSED:

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

1. A lot coverage of 288.90sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 270.00sq.m in this instance;
2. A gross floor area of 506.23sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 344.37sq.m in this instance;
3. A height of 9.19m whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m in this instance;
4. A dwelling depth of 22.85m whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m in this instance;
5. A front yard of 5.39m whereas By-law 0225-2007, as amended, requires a minimum front yard of 6.00m in this instance;
6. An exterior side yard of 5.76m whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00m in this instance; and
7. An interior side yard of 1.20m whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m in this instance.

Committee Decision dated at the City of Mississauga on July 18, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"J. KWAIST"</u> J. KWAIST
<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 **August 7, 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 **IHSSAN ALI** for the property located at **3889 STONEHAM WAY**.
Date of Hearing on Thursday July 11, 2019
Date Decision Signed by the Committee July 18, 2019

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

No Member declared a pecuniary interest for this application.

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

APPLICATION DETAILS

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

1. A driveway width of 7.00m (approx. 22.97ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance; and
2. A walkway attachment of 2.70m (approx. 8.86ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.50m (approx. 4.92ft) in this instance.

I. Ali, the property owner, attended and presented evidence and comment in support of the application.

BACKGROUND

On October 18, 2018, I. Ali, the property owner, attended and requested to defer the application in order to meet with staff.

The Committee consented to the request and deferred the application to the March 7th, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated October 5, 2018)
- City of Mississauga, Transportation and Works Department (dated October 11, 2018)
- Region of Peel (dated October 5, 2018)
- Letters of support were received from 5 area residents.
- A letter of objection was received from 1 area resident.

On March 7, 2019, I. Ali, the property owner, attended and requested to defer the application in order to meet with staff and make revisions to the application.

The Committee consented to the request and deferred the application to the May 2nd, 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 May 2, 2019)
- Region of Peel (dated April 17, 2019)

- Letters of support were received from 2 area residents.
- Letters of objection were received from 2 area residents.
- A petition of submitted was received through the property owner signed by 15 area residents.

On May 2, 2019, I. Ali, the property owner, attended and requested to defer the application to revise the application.

The Committee consented to the request and deferred the application to the July 11th, 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 May 2, 2019)
- Region of Peel (dated April 17, 2019)
- A letter of support was received from 1 area resident.
- A letter of objection was received from 1 area resident.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated June 28, 2019)
- City of Mississauga, Transportation and Works Department (dated June 27, 2019)
- Region of Peel (dated June 27, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

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

DECISION

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

Committee has taken into consideration, on balance, any and all submissions made before its decision including 12 written submissions and 1 petition. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined 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 SUBJECT TO CONDITIONS:

To allow exterior alterations on the subject property proposing:

1. A driveway width of 7.00m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m in this instance;
2. A walkway attachment of 2.44m on the east side of the driveway whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.50m in this instance; and
3. A walkway attachment of 2.44m on the west side of the driveway whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.50m in this instance

CONDITIONS:

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 July 18, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>DISSENTED</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"J. KWAIST"</u> J. KWAIST
<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 **August 7, 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 **BADAT & SALEHA ISMAIL** for the property located at **3131 MERRITT AVENUE**.
Date of Hearing on Thursday July 11, 2019
Date Decision Signed by the Committee July 18, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:29p.m.

APPLICATION DETAILS

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

1. A gross floor area of 210.15 sq.m (approx. 2262.04sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 174.27 sq.m (approx. 1875.82 sq.ft) in this instance;
2. An easterly side yard of 1.67m (approx. 5.48 ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
3. A westerly side yard of 1.68m (approx. 5.51 ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
4. An interior front yard of 6.86m (approx. 22.51ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.5m (approx. 24.61ft) in this instance;
5. A building height measured to the eaves of 6.53m (approx. 21.42ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance; and
6. An interior garage length of 5.33m (approx. 17.49ft) whereas By-law 0225-2007, as amended, requires a minimum garage length of 6.00m (approx. 19.69ft) in this instance.

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

BACKGROUND

On April 11, 2019, D. Falzon, agent, attended and presented evidence in support of the application. The applicant requested to defer the application to address staff concerns.

The Committee consented to the request and deferred the application to the July 11th, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated March 29, 2019)
- City of Mississauga, Transportation and Works Department (dated March 29, 2019)
- Region of Peel (dated March 28, 2019)
- A petition of support was received through the agent signed by 6 area residents.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated June 28, 2019)
- City of Mississauga, Transportation and Works Department (dated June 27, 2019)
- Region of Peel (dated June 27, 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 changes that were made.

DECISION

Committee has taken into consideration, on balance, any and all submissions made before its decision including one petition. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined 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:

To allow the construction of a new dwelling proposing:

1. A gross floor area of 210.15 sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 174.27 sq.m in this instance;
2. An easterly side yard of 1.67m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m in this instance;
3. A westerly side yard of 1.68m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m in this instance;
4. An interior front yard of 6.86m whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.5m in this instance;
5. A building height measured to the eaves of 6.53m whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m in this instance; and
6. An interior garage length of 5.33m whereas By-law 0225-2007, as amended, requires a minimum garage length of 6.00m in this instance.

Committee Decision dated at the City of Mississauga on July 18, 2019.

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

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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 **August 7, 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 **HARPREET SINGH DHESI** for the property located at **897 FOURTH STREET**.
Date of Hearing on Thursday July 11, 2019
Date Decision Signed by the Committee July 18, 2019

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

No Member declared a pecuniary interest for this application.

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

APPLICATION DETAILS

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

1. A dwelling depth of 20.90m (approx. 68.57ft.) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft.) in this instance;
2. A westerly side yard measured to the first and second storeys of 0.66m (approx. 2.16ft.) whereas By-law 0225-2007, as amended, requires a minimum westerly side yard measured to the first and second storeys of 1.20m (approx. 3.94ft.) in this instance;
3. 2 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 3 parking spaces in this instance;
4. A driveway width of 5.20m (approx. 17.06ft.) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.74m (approx. 15.55ft.) in this instance;
5. A front yard soft landscape area of 31.08% whereas By-law 0225-2007, as amended, requires a minimum front yard soft landscape area of 40.00% in this instance; and
6. An unobstructed area for parking in a garage of 3.05m x 4.92m (approx. 10.01ft. x 16.14ft.) whereas By-law 0225-2007, as amended, requires a minimum unobstructed area for parking in a garage of 2.75m x 5.20m (approx. 9.02ft. x 17.06ft.) in this instance.

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

BACKGROUND

On May 2, 2019, D. Dewsbury, agent, attended and requested to defer the application to address staff comments.

The Committee consented to the request and deferred the application to the July 11th, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated April 17, 2019)
- City of Mississauga, Transportation and Works Department (dated May 2, 2019)
- Region of Peel (dated April 17, 2019)

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated July 4, 2019)
- City of Mississauga, Transportation and Works Department (dated June 27, 2019)
- Region of Peel (dated June 27, 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, on balance, any and all submissions made before its decision. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined 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: J. Page CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITIONS:

To allow the construction of a new house proposing:

1. A dwelling depth of 20.90m whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m in this instance;
2. A westerly side yard measured to the first and second storeys of 0.66m whereas By-law 0225-2007, as amended, requires a minimum westerly side yard measured to the first and second storeys of 1.20m in this instance;
3. 2 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 3 parking spaces in this instance;
4. A driveway width of 5.20m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.74m in this instance;
5. A front yard soft landscape area of 31.08% whereas By-law 0225-2007, as amended, requires a minimum front yard soft landscape area of 40.00% in this instance; and
6. An unobstructed area for parking in a garage of 3.05m x 4.92m whereas By-law 0225-2007, as amended, requires a minimum unobstructed area for parking in a garage of 2.75m x 5.20m in this instance.

CONDITIONS:

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 July 18, 2019.

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

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"S. KENNEY"

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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 **August 7, 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 **1251914 ONTARIO LIMITED** for the property located at **218 EXPORT BOULEVARD**.
Date of Hearing on Thursday July 11, 2019
Date Decision Signed by the Committee July 18, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:36p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the as-built parking spaces to remain on the subject property proposing:

1. A parking space width of 2.55m (approx. 8.37ft) for Unit 21 whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m (approx. 8.53ft) in this instance;
2. A parking space width of 2.51m (approx. 8.23ft) for Unit 53 whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m (approx. 8.53ft) in this instance;
3. A parking space width of 2.49m (approx. 8.17ft) for Unit 78 whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m (approx. 8.53ft) in this instance;
4. A parking space width of 2.48m (approx. 8.14ft) for Unit 81 whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m (approx. 8.53ft) in this instance;
5. A parking space length of 3.41m (approx. 11.19ft) for Unit 45 whereas By-law 0225-2007, as amended, requires a minimum parking space length of 5.20m (approx. 17.06ft) in this instance; and
6. A parking space length of 3.90m (approx. 12.80ft) for Unit 46 whereas By-law 0225-2007, as amended, requires a minimum parking space length of 5.20m (approx. 17.06ft) in this instance.

H. Bahmanpour, agent, attended and presented evidence and comment in support of the application.

BACKGROUND

On May 9, 2019, H. Bahmanpour, agent, requested to defer the application to meet with staff.

The Committee consented to the request and deferred the application to the July 11th, 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 June 28, 2019)
- City of Mississauga, Transportation and Works Department (dated June 27, 2019)
- Region of Peel (dated June 27, 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.

Committee asked questions of staff regarding the required dimensions of parking spaces.

Committee discussed the usability and appropriateness of Units 45 & 46.

K. Barry, Zoning Examiner with the City of Mississauga, appeared before the Committee and clarified his conversation with the agent.

N. Davis, agent, appeared before the Committee and explained that the reduction of the parking space length was due to a water service at the rear of the spot.

DECISION

Committee has taken into consideration, on balance, any and all submissions made before its decision. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

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

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO TERMS AND CONDITIONS:

To allow the as-built parking spaces to remain on the subject property proposing:

1. A parking space width of 2.55m for Unit 21 whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m in this instance;
2. A parking space width of 2.51m for Unit 53 whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m in this instance;
3. A parking space width of 2.49m for Unit 78 whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m in this instance;
4. A parking space width of 2.48m for Unit 81 whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m in this instance;
5. A parking space length of 3.41m for Unit 45 whereas By-law 0225-2007, as amended, requires a minimum parking space length of 5.20m in this instance; and
6. A parking space length of 3.90m for Unit 46 whereas By-law 0225-2007, as amended, requires a minimum parking space length of 5.20m in this instance.

TERMS:

1. Signs indicating parking for compact cars only shall be installed in Units 45 & 46.

CONDITIONS:

1. Warning clauses relating to the substandard parking spaces as requested by City staff throughout the Site Plan Approval and Condominium Registration processes shall be included in the condominium registration documents.
2. 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 July 18, 2019.

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

I certify this is copy of the decision of the Committee's decision given on July 18, 2019.

"S. KENNEY"

For a signed copy of this document

please call 905-615-3200 ext. 2408

SEAN KENNEY - SECRETARY-TREASURER

or email Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **August 7, 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 **ZALOGA MYKOLA, YURIY LAZUTA & MARIA LEKH** for the property located at
1223 CANTERBURY ROAD.

Date of Hearing on Thursday July 11, 2019
Date Decision Signed by the Committee July 18, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:58p.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 lot coverage of 30.4% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 27% of the lot area in this instance;
2. A front yard of 5.07m (approx. 16.63ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.60ft) in this instance;
3. A side yard of 1.47m (approx. 4.82ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
4. A combined width of side yards of 3.32m (approx. 10.89ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 3.60m (approx. 11.81ft) in this instance;
5. A height of 8.00m (approx. 26.25ft) whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) in this instance; and
6. A front yard measured to a porch of 4.24m (approx. 13.91ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a porch of 5.90m (approx. 19.36ft) in this instance.

A. Golovnia, agent, attended and presented evidence and comment in support of the application. The applicant requested that the application be amended and Committee agreed to the request. The agent requested to add variances to the application and Committee expressed concern regarding the public circulation of those notices. The agent elected not to add the additional variances.

BACKGROUND

On May 23, 2019, A. Golovnia, agent, requested to defer the application to add additional variances.

The Committee consented to the request and deferred the application to the July 11th, 2019 hearing.

Comments were received and entered into evidence from the following:

- 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)
- Credit Valley Conservation (dated May 8 & May 22)

- Letters of objection were received from two area residents.
- A letter of concern was received from one area resident.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated July 4, 2019)
- City of Mississauga, Transportation and Works Department (dated June 27, 2019)
- Region of Peel (dated June 27, 2019)
- Credit Valley Conservation (dated June 28, 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 the requested variances and amendments.

DECISION

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

Committee has taken into consideration, on balance, any and all submissions made before its decision including 3 written submissions. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined 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. Kennedy SECONDED BY: J. Page CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

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

1. A front yard of 5.07m whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m in this instance;
2. A side yard of 1.47m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m in this instance;
3. A combined width of side yards of 3.32m whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 3.60m in this instance;
4. A height of 8.00m whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m in this instance; and
5. A front yard measured to a porch inclusive of stairs of 3.40m whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a porch inclusive of stairs of 5.90m in this instance.

CONDITIONS:

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 July 18, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>"J. KWAST"</u> J. KWAST
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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 **August 7, 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.