

# COMMITTEE OF ADJUSTMENT RESULTS



**Location: COUNCIL CHAMBER**  
**Hearing: JULY 18, 2019 AT 1:30 P.M.**

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

## NEW APPLICATIONS - (CONSENT)

B-039/19 A-270/19 A-271/19	JOE & LUCIA PINELLI	446 SOUTH SERVICE RD	1	Approved (AC) Approved (AC) Approved (AC)
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## DEFERRED APPLICATIONS - (CONSENT)

B-029/19 A-179/19 A-180/19	NGUYEN TRANG	900 OLD DERRY RD	11	Approved (AC) Approved Approved
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## NEW APPLICATIONS - (MINOR VARIANCE)

A-267/19	NAOMI YANO	1366 MONAGHAN CIR	6	Approved (AA, AC)
A-268/19	835702 ONTARIO LTD	265 COURTNEYPARK DR E	5	Deferred (Oct 10)
A-269/19	1234778 ONTARIO INC.	299 COURTNEYPARK DR E	5	Deferred (Oct 10)
A-272/19	ALFRED JOHN HAROLD LEATHERBARROW	1831 MALLWOOD CRT	2	Approved (AA, ACP)
A-273/19	NESTOR MARTYNETS & TETYANA LUNDYAK	4159 TOMKEN RD	3	Deferred (Sept 12)
A-274/19	SHERVAN FASHANDI & SHABNAM SORKHI	432 CULLEN AVE	7	Approved (AA)
A-275/19	CEZAR & ALINA ROMAN	4169 TRELIS CRES	8	Approved
A-276/19	2519007 ONTARIO INC.	5926 SHAWSON DR	5	Approved (AC)
A-277/19	LAKEVIEW COMMUNITY PARTNERS LIMITED	1082 LAKESHORE RD E & 800 HYDRO RD	1	Approved (AA, AC)

## DEFERRED APPLICATIONS - (MINOR VARIANCE)

A-349/18	SUDERSHAN & KANTA DULAT	472 BRIGGS CRT	11	Deferred (Sept 26)
A-067/19	HAZELTON DEVELOPMENT CORPORATION	4064 DIXIE RD	3	Approved (AA)
A-132/19	GURMAIL & GOBINDO SINDHU	11 KNASEBORO ST	5	Deferred (Sept 5)
A-228/19	NATALIE DE SOUSA	197 BROADWAY ST	11	Approved (AA, AC)
A-236/19	2537666 ONTARIO INC	70 WESLEY AVE	1	Approved (AT, AC)
A-248/19	STEVEN RANALLI	1067 FOURTH ST	1	Approved

Decision of the Mississauga Committee of Adjustment under  
Section 53 of The Planning Act R.S.O. 1990, C.P.13, as amended.

Application by **JOE & LUCIA PINELLI** for the property located at **446 SOUTH SERVICE ROAD.**

Date of Hearing on Thursday July 18, 2019

Date Decision Signed by the Committee July 25, 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 1:43p.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 11.74m (approx. 38.52ft) and an area of approximately 348.34sq.m (approx. 1142.85sq.ft).

The application is also subject to minor variance applications A270/19 and A271/19.

J. Pinelli, the property owner, 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 11, 2019)
- City of Mississauga, Transportation and Works Department (dated July 5, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated July 3, 2019)
- Region of Peel (dated June 28, 2019)
- Bell Canada, Right-of-Way (dated June 14, 2019)

### **CORRESPONDENCE & DISCUSSION**

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

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

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

### **DECISION**

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

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

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

MOVED BY: S. Patrizio      SECONDED BY: W. Shahrukh      CARRIED

The Decision of the Committee is:

**APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:**

To sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 11.74m and an area of approximately 348.34sq.m.

Committee Decision dated at the City of Mississauga on July 25, 2019 |

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

I certify this is copy of the decision of the Committee's decision given on July 25, 2019 |

"S. KENNEY"

For a signed copy of this document

SEAN KENNEY - SECRETARY-  
TREASURER

please call 905-615-3200 ext. 2408

or email

[Committee.Adjustment@mississauga.ca](mailto:Committee.Adjustment@mississauga.ca)

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

Date of Mailing | July 29, 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 18, 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 29, 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](mailto:committee.adjustment@mississauga.ca)).
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A"270/19, & "A"271/19)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated July 5, 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 July 3, 2019.
6. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 17, 2019.

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

City of Mississauga  
**Memorandum**



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TO: S. Kenney, Secretary Treasurer  
Committee of Adjustment

FROM: D. Martin  
Transportation and Works

DATE: July 5, 2019

RE:      **Applicant:**            Joe & Lucia Pinelli  
             **Date of Hearing:**   July 18, 2019  
             **Location:**            446 South Service Road  
             **Our File:**            'B' 39/19, Ward 1 (Z-6)

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This Department has reviewed the plans submitted with the application. We draw attention to the plan labelled as "Consent Sketch, SK 00" and note that the entire existing dwelling, including the rear addition on the retained lands is labelled as "to be removed". If this is the case, then we question why the proposed severance line is proposed in such a configuration.

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

**A.      Items Required Prior to the Issuance of Final Consent**

1.      Overall Servicing Plan

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

2.      Overall Grading and Drainage Plan

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

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

3. Acoustical Report

Due to the proximity and noise emanating from South Service Road and The Queen Elizabeth Way, the owner will be required to retain the services of an Acoustical Consultant to prepare a detailed Acoustical Report for the subject lands and make comments/recommendations in support of this severance application. This report is to determine the need for the implementation of any noise attenuation measures that are to be incorporated into the construction of the site works to achieve the City's and the M.O.E.'s current noise level objectives. The scope of this report is to define the minimum noise attenuation requirements for the control of outdoor and indoor environmental sound levels.

We are also noting for the owner's information that securities will be required to ensure that any noise attenuation measures such as air conditioning units are installed for the dwellings to be constructed.

4. Development Agreement

Upon the review of the Acoustical Report which would contain the appropriate Warning Clauses, the owner may be required to enter into a Development Agreement which is to be registered against title of the subject lands. The said agreement is to advise any prospective purchasers that, despite the inclusion of noise control features, noise levels emanating from South Service Road and The Queen Elizabeth Way may continue to be of concern, occasionally interfering with some of the activities of the dwelling occupants as the noise exposure level may exceed the noise criteria of the municipality and the Ministry of the Environment and Climate Change.

In view of the above, the applicant should contact this Department with regard to obtaining a sample copy of a Development Agreement to determine which clauses are to be incorporated.

5. Fee Requirements as Per Fees and Charges By-Law

As per the City of Mississauga's Fees and Charges By-law there will be fees required to be paid to the Legal Services Department for their services, in particular for the preparation of documents required for items pertaining to a Development Agreement and/or road widening. The fee amounts payable will be in accordance with the current fees and charges bylaw.

6. Required Easements

We note that it appears that a water and sanitary sewer connection has been constructed through the subject property providing those services to the easterly property known as 452 South Service Road without the benefit of an easement for access and maintenance.

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

Should the application be approved, required easements will be necessary across the severed and retained lands in favour of 452 South Service Road. The applicant will need to provide the appropriate documentation indicating that all the necessary easements required for both sanitary and water services to the existing lot to the east of the applicant's lands (452 South Service Road) have been reviewed and approved to the satisfaction of The Region of Peel. Should any required easements be necessary for storm sewer connections resulting from a review on documents submitted for condition #1, the applicant/owner will be required to provide a letter or schedule prepared by the applicant's Solicitor which would specifically describe the any new easements to be established through this Consent Application. It should also be noted 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(s) can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

7. 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](mailto:susie.tasca@mississauga.ca)

B. General Information

1. Site Plan Approval

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

2. Servicing

All costs incurred in providing any service laterals will be the responsibility of the owner. The owner will also be responsible for all costs incurred for the required road reinstatement (if required). If the service connections are to be installed by a private contractor retained by the owner, issuance of an open cut permit will be subject to the owner depositing adequate securities with the City to guarantee proper road reinstatement. We advise that the storm sewer outlet for these lands is the existing 1050mm diameter storm sewer within South Service Road.

3. Lot Grading and Drainage

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

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

will be required to submit the applicable lot grading and municipal services protection deposits.

4. Road Widening on South Service Road

We advise that this portion of South Service Road is under the ownership of the Ministry of Transportation Ontario (MTO) and a road allowance widening on the South Service Road may be required. It is our understanding that the Ministry of Transportation is presently undertaking an assessment for future improvements along the Queen Elizabeth Way. We understand they have been circulated the application as such their comments will identify any road widening or access restrictions/requirements.

For further information regarding the above noted comments, please contact John Salvino at (905) 615-3200 ext. 5183 or [john.salvino@mississauga.ca](mailto:john.salvino@mississauga.ca)

D. Martin  
Supervisor, Development Engineering South  
905-615-3200, ext. 5833

c; [joepine10@gmail.com](mailto:joepine10@gmail.com)



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

DATE: July 3, 2019  
FILE: "B" 39/19  
SUBJECT: CONSENT APPLICATION  
446 SOUTH SERVICE ROAD  
JOE & LUCIA PINELLI  
WARD 1  
JULY 18, 2019 PUBLIC HEARING OF THE COMMITTEE OF ADJUSTMENT

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

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

In addition, Community Services notes the following:

1. Payment for street tree contributions can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga.
2. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes may be required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and

Should further information be required, please contact 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

June 28, 2019

Sean Kenney, Secretary Treasurer  
Committee of Adjustment  
City of Mississauga  
2<sup>nd</sup> Floor, Clerk's Office  
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments  
City of Mississauga Committee of Adjustment Hearing  
July 18<sup>th</sup>, 2019**

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Dear Mr. Kenney,

**Comments for Conditions of Approval:**

**Consent Application: B-039/19**

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

**Condition:** Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at [tracy.tang@peelregion.ca](mailto:tracy.tang@peelregion.ca)

Sincerely,



Tracy Tang  
Junior Planner  
Development Services, Region of Peel

Decision of the Mississauga Committee of Adjustment under  
Section 45(1) OR (2) of The Planning Act R.S.O. 1990, c.P.13, as amended.  
Application by **JOE & LUCIA PINELLI** for the property located at **446 SOUTH SERVICE ROAD**.  
Date of Hearing on Thursday July 18, 2019  
Date Decision Signed by the Committee July 25, 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 1:43p.m.

### **APPLICATION DETAILS**

The applicants request the Committee to approve a minor variance to allow the existing house to remain proposing:

1. A lot frontage of 11.33m (approx. 37.18ft) whereas By-law 0225-2007, as amended requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
2. A gross floor area of 360.20sq.m (approx. 3,877.16sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 550.00sq.m (approx. 5,920.15sq.ft) in this instance;
3. A side yard of 1.20m (approx. 3.94 ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance; and
4. A combined side yard of 3.15m (approx. 10.33 ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard of 3.60m (approx. 11.81ft) in this instance.

The application is also subject to consent application B39/19, and a minor variance application A271/19.

J. Pinelli, the property owner, 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 11, 2019)
- City of Mississauga, Transportation and Works Department (dated July 5, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated July 3, 2019)
- Region of Peel (dated June 28, 2019)
- Bell Canada, Right-of-Way (dated June 14, 2019)

### **CORRESPONDENCE & DISCUSSION**

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



MISSISSAUGA

File: "A" 270/19  
WARD 1

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

MOVED BY: S. Patrizio      SECONDED BY: W. Shahrukh      CARRIED

The Decision of the Committee is:

**APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITIONS:**

To allow the existing house to remain proposing:

1. A lot frontage of 11.33m whereas By-law 0225-2007, as amended requires a minimum lot frontage of 15.00m in this instance;
2. A lot area of 360.20sq.m whereas By-law 0225-2007, as amended, permits a minimum lot area area of 550.00sq.m in this instance;
3. A side yard of 1.20m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m in this instance; and
4. A combined side yard of 3.15m whereas By-law 0225-2007, as amended, requires a minimum combined side yard of 3.60m 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 25, 2019.

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

I certify this is copy of the decision of the Committee's decision given on July 25, 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](mailto: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 14, 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 **JOE & LUCIA PINELLI** for the property located at **446 SOUTH SERVICE ROAD**.  
Date of Hearing on Thursday July 18, 2019  
Date Decision Signed by the Committee July 25, 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 1:43p.m.

### **APPLICATION DETAILS**

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

1. A lot frontage of 11.74m (approx. 38.52ft) whereas By-law 0225-2007, as amended requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance; and
2. A gross floor area of 348.34sq.m (approx. 3,749.50sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 550.00sq.m (approx. 5,920.15sq.ft) in this instance.

The application is also subject to consent applications B39/19, and a minor variance application A270/19.

J. Pinelli, the property owner, 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 11, 2019)
- City of Mississauga, Transportation and Works Department (dated July 5, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated July 3, 2019)
- Region of Peel (dated June 28, 2019)
- Bell Canada, Right-of-Way (dated June 14, 2019)

### **CORRESPONDENCE & DISCUSSION**

No resident comments were received as a result of the public circulation of this 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 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: S. Patrizio      SECONDED BY: W. Shahrukh      CARRIED

The Decision of the Committee is:

**APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITIONS:**

To allow the construction of a two storey dwelling proposing:

1. A lot frontage of 11.74m whereas By-law 0225-2007, as amended requires a minimum lot frontage of 15.00m in this instance; and
2. A lot area of 348.34sq.m whereas By-law 0225-2007, as amended, permits a minimum lot area of 550.00sq.m 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 25, 2019.

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

I certify this is copy of the decision of the Committee's decision given on July 25, 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](mailto: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 14, 2019**.

**NOTES:**

1. A Development Charge may be payable prior to the issuance of a Building Permit.
2. Further approvals from the City of Mississauga may be required i.e. a Building Permit, a Zoning Certificate, a License, etc.



Decision of the Mississauga Committee of Adjustment under  
Section 53 of The Planning Act R.S.O. 1990, C.P.13, as amended.  
Application by **NGUYEN TRANG** for the property located at **900 OLD DERRY ROAD**.  
Date of Hearing on Thursday July 18, 2019  
Date Decision Signed by the Committee July 25, 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 1:56p.m.

### **APPLICATION DETAILS**

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 12.70m (approx. 41.67ft) and an area of approximately 877.51sq.m (approx. 9445.43sq.ft).

The application is also subject to minor variance applications A179/19 and A180/19.

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

### **BACKGROUND**

On May 23, 2019, N. Dell, agent, requested to defer the application to discuss to with neighbours and staff.

Committee consented to the request and deferred the application to the July 18<sup>th</sup>, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated May 23, 2019)
- City of Mississauga, Transportation and Works Department (dated May 10, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated May 1, 2019)
- Region of Peel (dated May 13, 2019)
- Bell Canada, Right-of-Way (dated May 9, 2019)

### **COMMENTS**

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated July 11, 2019)
- City of Mississauga, Transportation and Works Department (dated July 5, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated July 3, 2019)
- Region of Peel (dated June 28, 2019)

## **CORRESPONDENCE & DISCUSSION**

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from an area resident expressing support for the subject application.
- Correspondence was received from an area resident expressing objections to the subject application.

A petition of no objection was received through the applicant signed by 4 area residents.

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 including two written submissions and one petition.

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. Kennedy      SECONDED BY: S. Patrizio      CARRIED

The Decision of the Committee is:

**APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:**

To sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 12.70m and an area of approximately 877.51sq.m.

Committee Decision dated at the City of Mississauga on July 25, 2019 |

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

I certify this is copy of the decision of the Committee's decision given on July 25, 2019 |

"S. KENNEY"

For a signed copy of this document

please call 905-615-3200 ext. 2408

or email

[Committee.Adjustment@mississauga.ca](mailto: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 29, 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 18, 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 29, 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](mailto:committee.adjustment@mississauga.ca)).
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A"179/19, & "A"180/19)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated July 5, 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 July 3, 2019.

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

## City of Mississauga Memorandum



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TO: S. Kenney, Secretary Treasurer  
Committee of Adjustment

FROM: D. Martin  
Transportation and Works

DATE: July 5, 2019

RE: Applicant: Nguyen Trang  
Date of Hearing: July 18, 2019  
Location: 900 Old Derry Road  
Our File: 'B' 29/19, Ward 11 (Z-52W)

---

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

**A. Items Required Prior to the Issuance of Final Consent**

1. Overall Grading and Drainage Plan

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

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

2. Overall Servicing Plan

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

3. Development Agreement for Warning Clauses and Notice Provisions

The applicant/owner will be required to enter into a Development Agreement for Warning Clauses and Notice Provisions with the City which is to be registered against title and is to address the following items:

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

- a) The Development Agreement is to advise prospective purchasers that despite the inclusion of noise control features within this development area and within the building units, sound levels from increasing aircraft traffic may continue to be of concern, occasionally interfering with some of the activities of the dwelling occupants, as the noise exposure level exceeds the City's and M.E.C.P's noise criteria.

This agreement is also to advise purchasers that this development is between the NEF 30-35 aircraft noise contours for the Lester B. Pearson International Airport and is subject to potential noise impact from aircraft using the airport. Noise from the aircraft will continue to exist, potentially interfering with normal activities of the occupants, particularly outdoors. In the future, the airport and the operations related thereto may be altered or expanded and the noise levels may be affected or increased.

- b) The applicant is to contact this department with regards to obtaining information regarding which warning clauses will be applicable.

### 4. Fee Requirements as Per Fees and Charges By-Law

As per the City of Mississauga's Fees and Charges By-law there will be a fee required to be paid to the Legal Services Department for their services, in particular for the preparation of documents required for items pertaining a Development Agreement. The fee amount payable will be in accordance with the current Fees and Charges Bylaw and be submitted to the Transportation and Works Department in the form of a certified cheque.

### 5. Conceptual Site Plan

A conceptual Site Plan depicting the proposed driveway locations for the proposed lots is to be provided for our review/approval. We note that there is currently a Mississauga Transit Stop and utility pole located towards the easterly limits of the property and we must ensure that any new driveways would be located in an area not to conflict with the bus stop and utility pole.

### 6. 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](mailto: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

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

compatibility with the adjacent properties. In addition, the owner will be required to submit the applicable lot grading and municipal services protection deposits.

2. Servicing

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

3. Access

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

For further information regarding the above noted comments, please contact Tony Iacobucci at (905) 615-3200 ext. 5129 or [tony.iacobucci@mississauga.ca](mailto:tony.iacobucci@mississauga.ca)

D. Martin  
Supervisor, Development Engineering South  
905-615-3200, ext. 5833

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

DATE: July 3, 2019  
FILES: "B" 29/19  
SUBJECT: CONSENT APPLICATION  
900 OLD DERRY ROAD  
NGUYEN TRANG  
WARD 11  
JULY 18, 2019 PUBLIC HEARING OF THE COMMITTEE OF ADJUSTMENT

---

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

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

1. The applicant shall provide a cash contribution of \$1149 for planting of two (2) street tree on Old Derry Road. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

1. Requirements for Municipal Boulevard tree protection securities and protective hoarding will be addressed during the Site Plan Process.
2. Payment of street tree contributions can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga.
3. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538.



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 **NGUYEN TRANG** for the property located at **900 OLD DERRY ROAD**.

Date of Hearing on Thursday July 18, 2019  
Date Decision Signed by the Committee July 25, 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 1:56p.m.

### **APPLICATION DETAILS**

The applicant requests the Committee to approve a minor variance to allow the creation of a new lot proposing a lot frontage of 12.70m (approx. 41.67ft) whereas By-law 0225-2007, as amended requires a minimum lot frontage of 18.00m (approx. 59.10ft) in this instance.

The application is also subject to consent applications B29/19, and a minor variance application A180/19.

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

### **BACKGROUND**

On May 23, 2019, N. Dell, agent, requested to defer the application to discuss to with neighbours and staff.

Committee consented to the request and deferred the application to the July 18<sup>th</sup>, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated May 23, 2019)
- City of Mississauga, Transportation and Works Department (dated May 10, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated May 1, 2019)
- Region of Peel (dated May 13, 2019)
- Bell Canada, Right-of-Way (dated May 9, 2019)

### **COMMENTS**

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated July 11, 2019)
- City of Mississauga, Transportation and Works Department (dated July 5, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated July 3, 2019)
- Region of Peel (dated June 28, 2019)

## **CORRESPONDENCE & DISCUSSION**

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from an area resident expressing support for the subject application.
- Correspondence was received from an area resident expressing objections to the subject application.

A petition of no objection was received by the applicant signed by 4 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 two written submissions and 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: D. Kennedy      SECONDED BY: S. Patrizio      CARRIED

The Decision of the Committee is:

**APPLICATION APPROVED:**

To approve a minor variance to allow the creation of a new lot proposing a lot frontage of 12.70m whereas By-law 0225-2007, as amended requires a minimum lot frontage of 18.00m in this instance.

Committee Decision dated at the City of Mississauga on July 25, 2019.

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

I certify this is copy of the decision of the Committee's decision given on July 25, 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](mailto: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 14, 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 **NGUYEN TRANG** for the property located at **900 OLD DERRY ROAD**.  
Date of Hearing on Thursday July 18, 2019  
Date Decision Signed by the Committee July 25, 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 1:56p.m.

### **APPLICATION DETAILS**

The applicant requests the Committee to approve a minor variance to allow the creation of a new lot proposing a lot frontage of 12.70m (approx. 41.67ft) whereas By-law 0225-2007, as amended requires a minimum lot frontage of 18.00m (approx. 59.10ft) in this instance.

The application is also subject to consent applications B29/19, and a minor variance application A179/19.

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

### **BACKGROUND**

On May 23, 2019, N. Dell, agent, requested to defer the application to discuss to with neighbours and staff.

Committee consented to the request and deferred the application to the July 18<sup>th</sup>, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated May 23, 2019)
- City of Mississauga, Transportation and Works Department (dated May 10, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated May 1, 2019)
- Region of Peel (dated May 13, 2019)
- Bell Canada, Right-of-Way (dated May 9, 2019)

### **COMMENTS**

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated July 11, 2019)
- City of Mississauga, Transportation and Works Department (dated July 5, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated July 3, 2019)
- Region of Peel (dated June 28, 2019)

## **CORRESPONDENCE & DISCUSSION**

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from an area resident expressing support for the subject application.
- Correspondence was received from an area resident expressing objections to the subject application.

A petition of no objection was received by the applicant signed by 4 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 two written submissions and 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: D. Kennedy      SECONDED BY: S. Patrizio      CARRIED

The Decision of the Committee is:

**APPLICATION APPROVED:**

To allow the creation of a new lot proposing a lot frontage of 12.70m whereas By-law 0225-2007, as amended requires a minimum lot frontage of 18.00m in this instance.

Committee Decision dated at the City of Mississauga on July 25, 2019.

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

I certify this is copy of the decision of the Committee's decision given on July 25, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-  
TREASURER

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[Committee.Adjustment@mississauga.ca](mailto: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 14, 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 **NAOMI YANO** for the property located at **1366 MONAGHAN CIRCLE**.  
Date of Hearing on Thursday July 18, 2019  
Date Decision Signed by the Committee July 25, 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 2:41p.m.

### **APPLICATION DETAILS**

The applicant requests the Committee to approve a minor variance to permit a redential medical office proposing:

1. A medical office use whereas By-law 0225-2007, as amended, does not permit a medical office use in this instance; and
2. Three (3) parking spaces whereas By-law 0225-2007, as amended, requires a minimum of five (5) parking spaces in this instance.

N. Yano, 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 8, 2019)
- City of Mississauga, Transportation and Works Department (dated July 5, 2019)
- Region of Peel (dated June 28, 2019)

### **CORRESPONDENCE & DISCUSSION**

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from two area residents objecting to the subject application.
- Correspondence was received from one area resident expressing concerns for the subject application.

A resident appeared before the Committee and expressed 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 three written submissions and one oral 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: S. Patrizio      CARRIED

The Decision of the Committee is:

**APPLICATION APPROVED AS AMENDED SUBJECT TO TERMS:**

A Resident Physician be permitted on the subject lands; whereas, By-law 0225-2007, as amended, does not permit such a use, in this instance.

**TERMS:**

1. The homeowner will be the sole employee;
2. Excluding group sessions (two adults), multiple patients will not be seen concurrently, with very little overlap between sessions; and,
3. The proposed medical use will clearly remain incidental and secondary to the primary residential nature of the building;
4. Approval be subject to the Building Permit, such that the gross floor area of 54.00sq.m (waiting area and physician room) associated with the Resident Physician does not increase;
5. The detached dwelling must be the principal private residence of the Resident Physician and the Resident Physician must not be an occasional or casual resident thereof;
6. No more than a maximum of one (1) Resident Physician, and zero (0) employees, shall be permitted;
7. The accommodation of patients overnight shall not be permitted;
8. Parking shall be provided in compliance with the regulations contained in Table 3.1.2.1 of Zoning By-law 0225-2007; and,
9. An aisle adjacent to parking spaces is not required.

Committee Decision dated at the City of Mississauga on July 25, 2019.

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

I certify this is copy of the decision of the Committee's decision given on July 25, 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 14, 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.



## MISSISSAUGA

File: "A" 272/19  
WARD 2

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 **ALFRED JOHN HAROLD LEATHERBARROW**

for the property located at **1831 MALLWOOD COURT.**

Date of Hearing on Thursday July 18, 2019

Date Decision Signed by the Committee July 25, 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 2:29p.m.

### **APPLICATION DETAILS**

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

1. A side yard of 1.10m (approx. 3.61ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;
2. A front yard measured to a porch of 4.30m (approx. 14.11ft) 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; and
3. A driveway width of 7.90m (approx. 25.92ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.40m (approx. 14.43ft) in this instance.

J. Anderson, 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 11, 2019)
- City of Mississauga, Transportation and Works Department (dated July 5, 2019)
- Region of Peel (dated June 28, 2019)

### **CORRESPONDENCE & DISCUSSION**

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

A petition of support was received through the applicant signed by eight area residents.

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 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: S. Patrizio      SECONDED BY: D. George      CARRIED

The Decision of the Committee is:

**APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITIONS:**

To allow exterior alteration and the existing driveway to remain proposing:

1. A side yard of 1.10m whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m in this instance;
2. A front yard measured to a porch of 4.30m whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a porch of 5.90m in this instance; and
3. A driveway width of 5.78m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.40m in this instance; and
4. A driveway setback measured to the lot line of 0.00m whereas By-law 0225-2007, as amended, requires a minimum driveway setback measured to the lot line of 0.61m in this instance.

**CONDITIONS:**

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 July 25, 2019.

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

I certify this is copy of the decision of the Committee's decision given on July 25, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-  
TREASURER

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

[Committee.Adjustment@mississauga.ca](mailto: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 14, 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 **SHERVAN FASHANDI & SHABNAM SORKHI**  
for the property located at **432 CULLEN AVENUE.**  
Date of Hearing on Thursday July 18, 2019  
Date Decision Signed by the Committee July 25, 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 2:40p.m.

### **APPLICATION DETAILS**

The applicants request the Committee to approve a minor variance to allow 3 accessory structures whereas By-law 0225-2007, as amended, permits a maximum of 1 accessory structure in this instance.

K. Khadra, 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 8, 2019)
- City of Mississauga, Transportation and Works Department (dated July 5, 2019)
- Region of Peel (dated June 28, 2019)

### **CORRESPONDENCE & DISCUSSION**

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from one area resident expressing objection to 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 one 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: S. Patrizio      SECONDED BY: D. George      CARRIED

The Decision of the Committee is:

**APPLICATION APPROVED AS AMENDED:**

To permit:

1. Two accessory structures whereas By-law 0225-2007, as amended, permits a maximum of 1 accessory structure in this instance; and
2. An unobstructed area for parking of 2.99m x 4.45m; whereas, By-law 0225-2007, as amended, requires a minimum unobstructed area for parking of 2.75m x 5.20m, in this instance.

Committee Decision dated at the City of Mississauga on July 25, 2019.

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

I certify this is copy of the decision of the Committee's decision given on July 25, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-  
TREASURER

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or email

[Committee.Adjustment@mississauga.ca](mailto: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 14, 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 **CEZAR & ALINA ROMAN** for the property located at **4169 TRELLIS CRESCENT**.  
Date of Hearing on Thursday July 18, 2019  
Date Decision Signed by the Committee July 25, 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 applicants request the Committee to approve a minor variance to allow the construction of a pool on the subject property proposing a setback to a G1 zone of 2.80m (approx. 9.18ft) whereas By-law 0225-2007, as amended, requires a minimum setback to a G1 zone of 5.00m (approx. 16.40ft) in this instance.

B. Evans, 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 11, 2019)
- City of Mississauga, Transportation and Works Department (dated July 5, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated July 3, 2019)
- Region of Peel (dated June 28, 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 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: S. Patrizio      SECONDED BY: D. George      CARRIED

The Decision of the Committee is:

**APPLICATION APPROVED:**

To allow the construction of a pool on the subject property proposing a setback to a G1 zone of 2.80m whereas By-law 0225-2007, as amended, requires a minimum setback to a G1 zone of 5.00m in this instance.

Committee Decision dated at the City of Mississauga on July 25, 2019.

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

I certify this is copy of the decision of the Committee's decision given on July 25, 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 14, 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 **2519007 ONTARIO INC.** for the property located at **5926 SHAWSON DRIVE.**  
Date of Hearing on Thursday July 18, 2019  
Date Decision Signed by the Committee July 25, 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 2:48p.m.

### **APPLICATION DETAILS**

The applicant requests the Committee to approve a minor variance to allow a Motor Vehicle Sales, Leasing and/or Rental Facility on the subject property proposing:

1. A Motor Vehicle Sales, Leasing and/or Rental Facility – Restricted and Motor Vehicle Wash Facility whereas By-law 0225-2007, as amended, does not permits such uses in this instance;
2. 56 parking spaces for non-residential uses whereas By-law 0225-2007, as amended, requires a minimum of 86 parking spaces for non-residential uses in this instance;
3. 30 tandem parking spaces whereas By-law 0225-2007, as amended, does not permit tandem parking spaces in this instance;
4. Indoor sales and display providing 56 parking spaces within the building whereas By-law 0225-2007, as amended, does not permit parking within the building in this instance.
5. 1 accessible parking space whereas By-law 0225-2007, as amended, requires a minimum of 3 accessible parking spaces in this instance;
6. 0 loading spaces whereas By-law 0225-2007, as amended, requires a minimum of 1 loading space 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 July 8, 2019)
- City of Mississauga, Transportation and Works Department (dated July 5, 2019)
- Region of Peel (dated June 28, 2019)
- Toronto and Region Conservation Authority (dated July 3, 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 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: S. Patrizio      SECONDED BY: D. Cook      CARRIED

The Decision of the Committee is:

**APPLICATION APPROVED SUBJECT TO TERMS:**

To allow a Motor Vehicle Sales, Leasing and/or Rental Facility on the subject property proposing:

1. A Motor Vehicle Sales, Leasing and/or Rental Facility – Restricted and Motor Vehicle Wash Facility whereas By-law 0225-2007, as amended, does not permits such uses in this instance;
2. 56 parking spaces for non-residential uses whereas By-law 0225-2007, as amended, requires a minimum of 86 parking spaces for non-residential uses in this instance;
3. 30 tandem parking spaces whereas By-law 0225-2007, as amended, does not permit tandem parking spaces in this instance;
4. Indoor sales and display providing 56 parking spaces within the building whereas By-law 0225-2007, as amended, does not permit parking within the building in this instance.
5. 1 accessible parking space whereas By-law 0225-2007, as amended, requires a minimum of 3 accessible parking spaces in this instance;
6. 0 loading spaces whereas By-law 0225-2007, as amended, requires a minimum of 1 loading space in this instance.

**TERMS:**

1. No outdoor display of automotive sales or outdoor storage of vehicles.

Committee Decision dated at the City of Mississauga on July 25, 2019.

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

I certify this is copy of the decision of the Committee's decision given on July 25, 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 14, 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 **LAKEVIEW COMMUNITY PARTNERS LIMITED**  
for the property located at **1082 LAKESHORE ROAD EAST and 800 HYDRO ROAD.**  
Date of Hearing on Thursday July 18, 2019  
Date Decision Signed by the Committee July 25, 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 3:00p.m.

### **APPLICATION DETAILS**

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

1. A temporary multi-purpose Community Discovery Centre use, whereas By-law 0225-2007, as amended, does not permit such a use in this instance;
2. Gravel as a permeable material in parking areas, whereas By-law 0225-2007, as amended, does not permit gravel as a permeable material in parking areas in this instance; and
3. A sidewalk in a landscape buffer area, whereas By-law 0225-2007, as amended, does not permit a sidewalk in a landscape buffer area in this instance.

G. Broll, 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 11, 2019)
- City of Mississauga, Transportation and Works Department (dated July 5, 2019)
- Region of Peel (dated June 28, 2019)
- Credit Valley Conservation (dated July 8, 2019)

### **CORRESPONDENCE & DISCUSSION**

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

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

### **DECISION**

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 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: S. Patrizio      SECONDED BY: D. Cook      CARRIED

The Decision of the Committee is:

**APPLICATION APPROVED AS AMENDED SUBJECT TO TERMS:**

To allow construction on the subject property proposing:

1. A temporary multi-purpose Community Discovery Centre use, whereas By-law 0225-2007, as amended, does not permit such a use in this instance;
2. To permit gravel for the surface treatment of the parking areas and driveways whereas Zoning By-law 0225-2007, as amended, requires a stable surface such as asphalt, concrete, pervious materials or other hard-surfaced material,
3. A sidewalk in a landscape buffer area, whereas By-law 0225-2007, as amended, does not permit a sidewalk in a landscape buffer area in this instance.

**TERMS:**

1. No sales shall occur on site.

Committee Decision dated at the City of Mississauga on July 25, 2019.

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

I certify this is copy of the decision of the Committee's decision given on July 25, 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 14, 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 **HAZELTON DEVELOPMENT CORPORATION**  
for the property located at **4064, 4070 & 4078 DIXIE ROAD.**  
Date of Hearing on Thursday July 18, 2019  
Date Decision Signed by the Committee July 25, 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 3:19p.m.

### **APPLICATION DETAILS**

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

1. A Gross Floor Area (apartment zone) per storey for each storey above 12 storeys of 1,027.85sq.m (approx. 11,065sq.ft) whereas By-law 0225-2007, as amended, permits a maximum Gross Floor Area (apartment zone) per storey for each storey above 12 storeys of 1,000sq.m (approx. 10,764sq.ft) in this instance;
2. A front yard for the portion of the dwelling with a height greater than 26m (Floors 8-14) of 10.15m (approx. 33.30ft) whereas By-law 0225-2007, as amended, requires a minimum front yard for the portion of the dwelling with a height greater than 26m of 10.50m (approx. 34.45ft) in this instance;
3. An interior side yard of 3.00m (approx. 9.84ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 4.50m (approx. 13.12ft) in this instance;
4. A rear yard of 14.00m (approx. 45.93ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 25.50m (approx. 83.66ft) in this instance;
5. 334 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 345 parking spaces in this instance;
6. A maximum encroachment of a balcony located above the first storey of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a balcony located above the first storey of 1.50m (approx. 4.92ft) in this instance;
7. A maximum balcony encroachment for Floors 9-14 of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, permits a maximum balcony encroachment of 1.50m (approx. 4.92ft) in this instance;
8. A maximum balcony projection for Floors 1-8 of 1.50m (approx. 4.92ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m (approx. 3.28ft) in this instance;
9. A maximum balcony projection for Floors 9-14 of 2.50m (approx. 8.20ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m (approx. 3.28ft) in this instance;
10. Stairs, walkways and planters encroaching into a required yard and landscaped buffer whereas By-law 0225-2007, as amended, does not permit stairs and walkways in a required yard and landscape buffer in this instance; and



MISSISSAUGA

File: "A" 67/19

WARD 3

11. A maximum size of a guest suite of 40.7sq.m (approx. 133.53sq.ft) whereas By-law 0225-2007, as amended, permits a maximum size of a guest suite of 30.00sq.m (approx. 98.43sq.ft) in this instance.

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

### **BACKGROUND**

On February 28, 2019, the application was deferred due to a lack of representation.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated February 20, 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 July 8, 2019)
- City of Mississauga, Transportation and Works Department (dated July 5, 2019)
- Region of Peel (dated June 28, 2019)

### **CORRESPONDENCE & DISCUSSION**

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from one area resident expressing objections to 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 one 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: S. Patrizio      SECONDED BY: D. George      CARRIED

The Decision of the Committee is:

**APPLICATION APPROVED AS AMENDED:**

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

1. A Gross Floor Area (apartment zone) per storey for each storey above 12 storeys of 1,027.85sq.m whereas By-law 0225-2007, as amended, permits a maximum Gross Floor Area (apartment zone) per storey for each storey above 12 storeys of 1,000sq.m in this instance;
2. A front yard for the portion of the dwelling with a height greater than 26m (Floors 8-14) of 10.15m whereas By-law 0225-2007, as amended, requires a minimum front yard for the portion of the dwelling with a height greater than 26m of 10.50m in this instance;
3. An interior side yard of 3.00m whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 4.50m in this instance;
4. A rear yard of 14.00m whereas By-law 0225-2007, as amended, requires a minimum rear yard of 25.50m in this instance;
5. A maximum encroachment of a balcony located above the first storey of 2.00m whereas By-law 0225-2007, as amended, permits a maximum encroachment of a balcony located above the first storey of 1.50m in this instance;
6. A maximum balcony encroachment for Floors 9-14 of 2.00m whereas By-law 0225-2007, as amended, permits a maximum balcony encroachment of 1.50m in this instance;
7. A maximum balcony projection for Floors 1-8 of 1.50m whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m in this instance;
8. A maximum balcony projection for Floors 9-14 of 2.50m whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m in this instance;
9. Stairs, walkways and planters, encroaching a maximum of 1.65m into a landscaped buffer; whereas By-law 0225-2007, as amended does not permit stairs and walkways in a required yard and landscape buffer in this instance; and
10. A maximum size of a guest suite of 40.7sq.m whereas By-law 0225-2007, as amended, permits a maximum size of a guest suite of 30.00sq.m in this instance.



Committee Decision dated at the City of Mississauga on July 25, 2019.

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

I certify this is copy of the decision of the Committee's decision given on July 25, 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 14, 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 **NATALIE DE SOUSA** for the property located at **197 BROADWAY STREET**.  
Date of Hearing on Thursday July 18, 2019  
Date Decision Signed by the Committee July 25, 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 3:39p.m.

### **APPLICATION DETAILS**

The applicant requests the Committee to approve a minor variance to allow the operation of a personal service establishment on the subject property proposing:

1. A parking aisle width of 0.00m whereas By-law 0225-2007, as amended, requires a minimum parking aisle width of 7.00m (approx. 22.96ft) in this instance;
2. Tandem parking whereas By-law 0225-2007, as amended, does not permit tandem parking in this instance; and
3. Parking in the front yard whereas By-law 0225-2007, as amended, does not permit parking in the front yard in this instance.

J. Kucera, 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 8, 2019)
- City of Mississauga, Transportation and Works Department (dated July 15, 2019)
- Region of Peel (dated June 28, 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 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: S. Patrizio      SECONDED BY: D. George      CARRIED

The Decision of the Committee is:

**APPLICATION APPROVED AS AMENDED SUBJECT TO TERMS AND CONDITIONS:**

To allow the operation of a personal service establishment on the subject property proposing:

1. A parking aisle width of 0.00m whereas By-law 0225-2007, as amended, requires a minimum parking aisle width of 7.00m in this instance;
2. Two tandem parking spaces; whereas, By-law 0225-2007, as amended, does not permit tandem parking, in this instance; and,
3. Parking in the front yard; whereas, By-law 0225-2007, as amended, does not permit parking to be located between a street wall and a lot line that is a street line, in this instance.

**TERMS:**

1. Signage shall be provided on site delineating the employee parking.

**CONDITIONS:**

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 July 25, 2019.

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

I certify this is copy of the decision of the Committee's decision given on July 25, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-  
TREASURER

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This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **August 14, 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 **2537666 ONTARIO INC** for the property located at **70 WESLEY AVENUE**.  
Date of Hearing on Thursday July 18, 2019  
Date Decision Signed by the Committee July 25, 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 3:43p.m.

### **APPLICATION DETAILS**

The applicant requests the Committee to approve a minor variance to allow the operation of an automotive repair facility on the subject property whereas By-law 0225-2007, as amended, does not permit an automotive repair facility in this instance.

M. Flynn, 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 11, 2019)
- City of Mississauga, Transportation and Works Department (dated July 5, 2019)
- Region of Peel (dated June 28, 2019)

### **CORRESPONDENCE & DISCUSSION**

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from an area resident expressing support for the subject 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 including one 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: S. Patrizio      SECONDED BY: D. George      CARRIED

The Decision of the Committee is:

**APPLICATION APPROVED SUBJECT TO TERMS FOR A TEMPORARY PERIOD OF 3 YEARS  
(approval will lapse on July, 31, 2022):**

To allow the operation of an automotive repair facility on the subject property whereas By-law 0225-2007, as amended, does not permit an automotive repair facility in this instance.

**TERMS:**

1. No outside storage of motor vehicles shall occur on the premises.
2. No outdoor repairs of motor vehicles and all business shall be contained indoors.
3. No retail sales of motor vehicles shall occur on the premises.
4. No auto body repair shall be permitted on the subject property.

Committee Decision dated at the City of Mississauga on July 25, 2019.

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

I certify this is copy of the decision of the Committee's decision given on July 25, 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](mailto: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 14, 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 **STEVEN RANALLI** for the property located at **1067 FOURTH STREET**.  
Date of Hearing on Thursday July 18, 2019  
Date Decision Signed by the Committee July 25, 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 3:58p.m.

### **APPLICATION DETAILS**

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

1. A lot coverage of 12.25% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 10.00% of the lot area in this instance; and
2. A side yard of 0.60m (approx. 1.96ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.93ft) in this instance.

M. Flynn, 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 11, 2019)
- City of Mississauga, Transportation and Works Department (dated July 5, 2019)
- Region of Peel (dated June 28, 2019)
- Credit Valley Conservation (dated May 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 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: S. Patrizio      SECONDED BY: W. Shahrukh      CARRIED

The Decision of the Committee is:

**APPLICATION APPROVED:**

To allow the construction of a detached garage on the subject property proposing:

1. A lot coverage of 12.25% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 10.00% of the lot area in this instance; and
2. A side yard of 0.60m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m in this instance.

Committee Decision dated at the City of Mississauga on July 25, 2019.

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

I certify this is copy of the decision of the Committee's decision given on July 25, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-  
TREASURER

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or email

[Committee.Adjustment@mississauga.ca](mailto: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 14, 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.