

COMMITTEE OF ADJUSTMENT RESULTS



Location: COUNCIL CHAMBER
Hearing: JULY 25, 2019 AT 1:30 P.M.

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

MOTIONS

A132/19: 11 Knaseboro St. – Agent has requested to defer the application from the September 5th hearing to the October 3rd hearing due to a scheduling conflict.

NEW APPLICATIONS - (CONSENT)

B-040/19-TO B-042/19 A-290/19-TO A-293/19	MIDLEKS INC	3585 DIXIE RD	3	D (Oct 24)
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NEW APPLICATIONS - (MINOR VARIANCE)

A-284/19	DINDIAL, TERRANCE & ROMANI KISSOON	7200 MADIERA RD	5	Approved
A-285/19	REEM ABUHIJLEH	3484 PALGRAVE RD	7	D (Oct 24)
A-286/19	DARIUSZ PRZEMYSŁAW SAJDA	504 AVONWOOD DR	1	D (Oct 3)
A-287/19	HALINA, DARIUSZ SCIUPIDER	1286 GRYPHON MEWS	3	Approved (ACP)
A-288/19	HABBAL PRIME INVESTMENTS INC	100 LAKESHORE RD E	1	Approved
A-289/19	RUO ZHAO WEI	3480 JOAN DR	7	D (Sept 26)
A-294/19	PAUL AMYOT & ALANA MONTIS	28 ELLEN ST	11	Approved
A-295/19	ERIN MILLS HIGHRISE (PHASE 1) INC	4655 & 4675 METCALFE AVE	8	Approved
A-296/19	ATLAS FIN-QUEST INC	2155 LEANNE BLVD	2	Approved
A-297/19	VERONICA SPENCER	1287 BIRCHVIEW DR	2	Approved (AA)
A-298/19	JV WHITEOAKS	1337 WHITEOAKS AVE	2	Approved (AC)
A-299/19	EMBEE PROPERTIES LTD	6400 & 6410 MILLCREEK DR	11	Approved (AC)
A-300/19	EDENSHAW PARK DEVELOPMENTS LIMITED	21, 25, 27 & 29 PARK ST E	1	D (Sept 5)
A-301/19	MAYA ASSETS CORP	7315 TORBRAM RD	5	D (Sept 26)

DEFERRED APPLICATIONS - (MINOR VARIANCE)

A-135/19	J & D SAHDRA INVESTMENTS LTD.	60 LAKESHORE RD E	1	Approved (AA, AC, ACP)
A-188/19	SUNSET 6 INVESTMENTS INC	3447 CAWTHRA RD	3	Refused
A-191/19	JUNED PATEL, NAHID PATEL, ASMABANU USMANB GORI	27 NORTH ALARTON ST	5	Approved (AA, ACP)
A-213/19	REN ZHAO HUI, LIANG QIN	4052 TEAKWOOD DR	6	Approved (AA)
A-238/19	THEONIKI REALITY CORP	1201 HURONTARIO ST	1	Approved

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 **DINDIAL, TERRANCE & ROMANI KISSOON** for the property located at
7200 MADIERA ROAD.

Date of Hearing on Thursday July 25, 2019
Date Decision Signed by the Committee August 1, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:37p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to permit the existing accessory structures on the subject property proposing three (3) accessory structures whereas By-law 0225-2007, as amended, permits a maximum of one (1) accessory structure in this instance.

T. Kissoon, co-owner of the property, attended and presented evidence and comment in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated July 15, 2019)
- City of Mississauga, Transportation and Works Department (dated July 12, 2019)
- Region of Peel (dated July 16, 2019)

CORRESPONDENCE & DISCUSSION

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

Committee asked questions of the co-owner who appeared before the Committee regarding the height of the structures.

DECISION

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED:

To permit the existing accessory structures on the subject property proposing three (3) accessory structures whereas By-law 0225-2007, as amended, permits a maximum of one (1) accessory structure in this instance.

Committee Decision dated at the City of Mississauga on August 1, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	ABSENT D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<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 August 1, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

For a signed copy of this document
please call 905-615-3200 ext. 2408

or
email Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **August 21, 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 **HALINA & DARIUSZ SCIUPIDER** for the property located at **1286 GRYPHON MEWS**.
Date of Hearing on Thursday July 25, 2019
Date Decision Signed by the Committee August 1, 2019

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

No Member declared a pecuniary interest for this application.

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

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to permit a driveway width of 7.50m (approx. 24.61ft) whereas By-law 0225-2007, as amended, requires a minimum driveway width of 6.00m (approx. 19.68ft) in this instance.

D. Sciupider, co-owner of the property, attended and presented evidence and comment in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated July 15, 2019)
- City of Mississauga, Transportation and Works Department (dated July 12, 2019)
- Region of Peel (dated July 16, 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, on balance, any and all submissions made before its decision. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

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

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITION(S):

To permit a driveway width of 7.50m whereas By-law 0225-2007, as amended, requires a minimum driveway width of 5.20m in this instance.

CONDITIONS:

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

Committee Decision dated at the City of Mississauga on August 1, 2019.

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

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SEAN KENNEY - SECRETARY-
TREASURER

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **August 21, 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 **HABBAL PRIME INVESTMENTS INC** for the property located at
100 LAKESHORE ROAD EAST.

Date of Hearing on Thursday July 25, 2019
Date Decision Signed by the Committee August 1, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:49p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a patio proposing a patio area of 40.39sq.m (approx. 434.75sq.ft) whereas By-law, as amended, permits a maximum patio area of 15.10 sq.m (approx. 162.54sq.ft) in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated July 19, 2019)
- City of Mississauga, Transportation and Works Department (dated July 12, 2019)
- Region of Peel (dated July 16, 2019)

CORRESPONDENCE & DISCUSSION

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

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

DECISION

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED:

To approve a patio proposing a patio area of 40.39sq.m whereas By-law, as amended, permits a maximum patio area of 15.10 sq.m in this instance.

Committee Decision dated at the City of Mississauga on August 1, 2019.

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

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NOTES:

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

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 **PAUL AMYOT & ALANA MONTIS** for the property located at **28 ELLEN STREET**.
Date of Hearing on Thursday July 25, 2019
Date Decision Signed by the Committee August 1, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:53p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow the construction of an addition on the subject property proposing a height to a flat roof of 8.05m (approx. 26.41ft) whereas By-law 0225-2007, as amended, permits a maximum height to a flat roof of 7.50m (approx. 24.61 ft) in this instance.

R. Banse, 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 15, 2019)
- City of Mississauga, Transportation and Works Department (dated July 12, 2019)
- Region of Peel (dated July 16, 2019)

CORRESPONDENCE & DISCUSSION

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

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

DECISION

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of an addition on the subject property proposing a height to a flat roof of 8.05m whereas By-law 0225-2007, as amended, permits a maximum height to a flat roof of 7.50m in this instance.

Committee Decision dated at the City of Mississauga on August 1, 2019.

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

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NOTES:

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

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 **ERIN MILLS HIGHRISE (PHASE 1) INC** for the property located at
4675 & 4655 METCALFE AVENUE.

Date of Hearing on Thursday July 25, 2019
Date Decision Signed by the Committee August 1, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:56p.m.

APPLICATION DETAILS

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

1. 298 units per hectare whereas By-law 0225-2007, as amended, permits a maximum of 247 units per hectare in this instance; and
2. A Floor Space Index of 2.7 whereas By-law 0225-2007, as amended, permits a maximum Floor Space Index of 2.5 in this instance.

F. Gasbare, 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 19, 2019)
- City of Mississauga, Transportation and Works Department (dated July 12, 2019)
- Region of Peel (dated July 16, 2019)

CORRESPONDENCE & DISCUSSION

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

One area resident appeared before the Committee and expressed concerns regarding traffic safety.

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

DECISION

Committee has taken into consideration, on balance, any and all submissions made before its decision including 1 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: J. Kwast CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow apartment buildings on the subject property proposing:

1. 298 units per hectare whereas By-law 0225-2007, as amended, permits a maximum of 247 units per hectare in this instance; and
2. A Floor Space Index of 2.7 whereas By-law 0225-2007, as amended, permits a maximum Floor Space Index of 2.5 in this instance.

Committee Decision dated at the City of Mississauga on August 1, 2019.

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

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This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **August 21, 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 **ATLAS FIN-QUEST INC** for the property located at **2155 LEANNE BOULEVARD**.
Date of Hearing on Thursday July 25, 2019
Date Decision Signed by the Committee August 1, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:04p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the operation of a take-out restaurant in Unit 105 of the subject property proposing a maximum gross floor area - non-residential used for take-out restaurants of 202.66sq.m (approx. 2,181.41sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area - non-residential used for take-out restaurants of 140.00sq.m (approx. 1,506.95sq.ft) in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated July 19, 2019)
- City of Mississauga, Transportation and Works Department (dated July 12, 2019)
- Region of Peel (dated July 16, 2019)
- The Ministry of Transportation (dated July 4, 2019)

CORRESPONDENCE & DISCUSSION

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

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

DECISION

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the operation of a take-out restaurant in Unit 105 of the subject property proposing a maximum gross floor area - non-residential used for take-out restaurants of 202.66sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area - non-residential used for take-out restaurants of 140.00sq.m in this instance.

Committee Decision dated at the City of Mississauga on August 1, 2019.

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

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This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **August 21, 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 **VERONICA SPENCER** for the property located at **1287 BIRCHVIEW DRIVE**.
Date of Hearing on Thursday July 25, 2019
Date Decision Signed by the Committee August 1, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:06p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to permit accessory structures (a pool cabana and a fireplace) on the subject property porposing:

1. Two (2) accessory structures whereas By-law 0225-2007, as amended, permits a maximum of one (1) accessory structure in this instance;
2. An area of an accessory structure of 43.53sq.m (approx. 468.55sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of an accesory structure of 10.00sq.m (approx. 107.64sq.ft) in this instance;
3. A floor area of an accesory structure of 22.00sq.m (approx. 236.81sq.ft) whereas By-law 0225-2007, as amended, permits a maximum floor area of an accesory structure of 10.00sq.m (approx. 107.64sq.ft) in this instance;
4. A height of an accessory structure measured to a flat roof of 3.62m (approx. 11.88ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure measured to a flat roof of 3.00m (approx. 9.84 ft) in this instance; and
5. A height of an accessory structure measured to a flat roof of 3.62m (approx. 11.88ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure measured to a flat roof of 3.00m (approx. 9.84 ft) in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated July 19, 2019)
- City of Mississauga, Transportation and Works Department (dated July 12, 2019)
- Region of Peel (dated July 16, 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, on balance, any and all submissions made before its decision. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

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

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To permit accessory structures (a pool cabana and a fireplace) on the subject property porposing:

1. Two (2) accessory structures whereas By-law 0225-2007, as amended, permits a maximum of one (1) accessory structure in this instance;
2. An area of an accessory structure (gazebo) of 43.53sq.m whereas By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 10.00sq.m in this instance;
3. A floor area of an accessory structure of 22.00sq.m whereas By-law 0225-2007, as amended, permits a maximum floor area of an accessory structure of 10.00sq.m in this instance;
4. A height of an accessory structure (gazebo) measured to a flat roof of 3.62m whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure measured to a flat roof of 3.00m in this instance; and
5. A height of an accessory structure measured to a flat roof of 3.62m whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure measured to a flat roof of 3.00m in this instance.

Committee Decision dated at the City of Mississauga on August 1, 2019.

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

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SEAN KENNEY - SECRETARY-
TREASURER

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NOTES:

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

Decision of the Mississauga Committee of Adjustment under
Section 45(1) OR (2) of The Planning Act R.S.O. 1990, c.P.13, as amended.
Application by **JV WHITEOAKS** for the property located at **1337 WHITEOAKS AVENUE**.
Date of Hearing on Thursday July 25, 2019
Date Decision Signed by the Committee August 1, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:10p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to permit accessory structures on the subject property proposing:

1. A floor area of an accessory structure of 34.97sq.m (approx. 376.41sq.ft) whereas By-law 0225-2007, as amended, permits a maximum floor area of an accessory structure of 10.00sq.m (approx. 107.64sq.ft) in this instance; and
2. A height of an accessory structure of 4.91m (approx. 16.11ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m (approx. 9.84ft) 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 19, 2019)
- City of Mississauga, Transportation and Works Department (dated July 12, 2019)
- Region of Peel (dated July 16, 2019)

CORRESPONDENCE & DISCUSSION

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

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

DECISION

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

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

MOVED BY: J. Page SECONDED BY: J. Kwast CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITION(S):

To permit accessory structures on the subject property proposing:

1. A floor area of an accessory structure of 34.97sq.m whereas By-law 0225-2007, as amended, permits a maximum floor area of an accessory structure of 10.00sq.m in this instance; and
2. A height of an accessory structure of 4.91m whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m in this instance.

CONDITION(S):

1. The accessory structure shall be equipped with an eaves trough and down spout directed in such a manner to not impact the adjacent lots.

Committee Decision dated at the City of Mississauga on August 1, 2019.

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

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"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **August 21, 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 **EMBEE PROPERTIES LTD** for the property located at
6400 & 6410 MILLCREEK DRIVE.

Date of Hearing on Thursday July 25, 2019
Date Decision Signed by the Committee August 1, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:12p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the expansion of an existing restaurant into Unit 12 on the subject property proposing parking at a rate of 4.3 spaces per 100sq.m of gross floor area for all uses on site whereas By-law 0225-2007, as amended, requires parking for uses on site to be provided in accordance with Table 3.1.2.2 in this instance.

J. Rubin, 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 15, 2019)
- City of Mississauga, Transportation and Works Department (dated July 12, 2019)
- Region of Peel (dated July 16, 2019)

CORRESPONDENCE & DISCUSSION

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

Committee asked questions of the agent who appeared before the Committee regarding the submission of a Parking Justification Study.

Planning staff indicated that they were in receipt of a Parking Justification Study and were no longer requesting deferral. They recommended that conditions be imposed.

DECISION

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO TERMS:

To allow the expansion of an existing restaurant into Unit 12 on the subject property proposing parking at a rate of 4.3 spaces per 100sq.m of gross floor area for all uses on site whereas By-law 0225-2007, as amended, requires parking for uses on site to be provided in accordance with Table 3.1.2.2 in this instance.

TERMS:

1. A total gross floor area for all buildings and structures on the subject site shall not exceed 6,766.0sq.m.
2. The maximum gross floor area for restaurants and take-out restaurants shall not exceed 1,330.0sq.m.
3. The maximum gross floor area for convenience restaurants shall not exceed 450.0sq.m.
4. Any place of religious assembly shall provide parking in accordance with Table 3.1.2.2 under Zoning By-law 0225-2007, as amended.
5. Any banquet hall use shall provide parking in accordance with Table 3.1.2.2 under Zoning By-law 0225-2007, as amended.

Committee Decision dated at the City of Mississauga on August 1, 2019.

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

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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 21, 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 **J & D SAHDRA INVESTMENTS LTD.** for the property located at
60 LAKESHORE ROAD EAST.

Date of Hearing on Thursday July 25, 2019
Date Decision Signed by the Committee August 1, 2019

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

No Member declared a pecuniary interest for this application.

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

APPLICATION DETAILS

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

1. A restaurant use being located within 60.00m (approx. 196.85ft) of a residential zone whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.00m (approx. 196.85ft) from a residential zone in this instance;
2. 7 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 21 parking spaces in this instance;
3. 0 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 1 accessible parking space in this instance;
4. 0 loading spaces whereas By-law 0225-2007, as amended, requires a minimum of 1 loading space in this instance;
5. An aisle width of 4.00m (approx. 13.12ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.96ft) in this instance; and
6. An outdoor patio accessory to a restaurant to be located off-site whereas By-law 0225-2007, as amended, does not permit an outdoor patio accessory to a restaurant to be located off-site in this instance.

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

BACKGROUND

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

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

Comments were received and entered into evidence from the following:

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

On June 13, 2019, N. Dell, agent, attended and requested to defer the application to meet with staff.

The Committee consented to the request and deferred the application to the July 25th hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated June 4, 2019)
- City of Mississauga, Transportation and Works Department (dated June 13, 2019)
- Region of Peel (dated June 5, 2019)
- A letter of objection was received from one area property owner.
- A letter of concern was received from the counsel representing an area property owner.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated July 19, 2019)
- City of Mississauga, Transportation and Works Department (dated July 12, 2019)
- Region of Peel (dated July 16, 2019)

CORRESPONDENCE & DISCUSSION

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

Committee asked questions of the agent who appeared before the Committee regarding the requirement for PIL and the disputed easement providing access to the rear parking.

Counsel for an adjacent property owner appeared before the Committee and spoke to the lawsuit regarding the easement providing access to the rear parking.

DECISION

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

Committee has taken into consideration, on balance, any and all submissions made before its decision including 3 written submissions and 1 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: J. Page SECONDED BY: W. Shahrukh CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITIONS:

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

1. A restaurant use being located within 60.00m of a residential zone whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.00m from a residential zone in this instance;
2. 9 parking spaces for all uses whereas By-law 0225-2007, as amended, requires a minimum of 21 parking spaces for all uses in this instance;
3. 0 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 1 accessible parking space in this instance;
4. 0 loading spaces whereas By-law 0225-2007, as amended, requires a minimum of 1 loading space in this instance;
5. An on-site parking space aisle width of 4.00m whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m in this instance; and
6. An outdoor patio accessory to a restaurant within the rear yard whereas By-law 0225-2007, as amended, permits an outdoor patio accessory to a restaurant only within the yard abutting Lakeshore Road East as a temporary use for the period of three years from the date of enactment and passing of 0086-2018 By-law (May 9, 2018).

CONDITIONS:

1. Construction related to this variance shall be in general conformance with the plans approved by the Committee.
2. One accessible parking space shall be provided on site.
3. A Payment in Lieu of Parking application shall be filed for 3 parking spaces.

Committee Decision dated at the City of Mississauga on August 1, 2019.

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

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"S. KENNEY"

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SEAN KENNEY - SECRETARY-TREASURER email Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **August 21, 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 **SUNSET 6 INVESTMENTS** for the property located at **3447 CAWTHRA ROAD**.
Date of Hearing on Thursday July 25, 2019
Date Decision Signed by the Committee August 1, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:46p.m.

APPLICATION DETAILS

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

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

BACKGROUND

On May 23, 2019, K. Lavignasse, agent, attended and requested to defer the application to address concerns regarding the sale and zoning of the property.

The Committee consented to the request and deferred the application to the August 15th, 2019 hearing.

Comments were received and entered into evidence from the following:

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated July 15, 2019)
- City of Mississauga, Transportation and Works Department (dated July 12, 2019)
- Region of Peel (dated July 16, 2019)

CORRESPONDENCE & DISCUSSION

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

Committee asked questions of the agent who appeared before the Committee regarding staff's comments. The agent indicated that through her discussions with Planning they indicated that they would not be able to support any use beyond what was permitted in the Zoning By-law.

Committee asked questions about the tenancy of the residential unit, the construction of the building and the magnitude of the proposed use.

Committee discussed how specific the zoning on the property is and the removal of the permission for doctors in residential zones from the zoning by-law.

DECISION

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

Accordingly, the Committee resolves to refuse the request.

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

The Decision of the Committee is:

APPLICATION REFUSED:

To allow a medical office on the subject property whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

Committee Decision dated at the City of Mississauga on August 1, 2019.

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

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TREASURER

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **August 21, 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 **JUNED PATEL, NAHID PATEL, ASMABANU USMANB GORI**
for the property located at **27 NORTH ALARTON STREET.**

Date of Hearing on Thursday July 25, 2019

Date Decision Signed by the Committee August 1, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:04p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow the construction of a new house on the subject property proposing a gross floor area of 323.00sq.m (approx. 3,476.74sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 269.23sq.m (approx. 2,898.00sq.ft) in this instance.

P. Gill, agent, attended and presented evidence and comment in support of the application.

BACKGROUND

On May 23, 2019, P. Gill, agent, attended and requested to defer the application to address staff concerns.

The Committee consented to the request and deferred the application to the July 25, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated May 10, 2019)
- City of Mississauga, Transportation and Works Department (dated May 10, 2019)
- Region of Peel (dated May 13, 2019)
- Letters of objection were received from four area residents.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated July 15, 2019)
- City of Mississauga, Transportation and Works Department (dated July 12, 2019)
- Region of Peel (dated July 16, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from 4 area residents expressing concerns regarding the subject application.

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

DECISION

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

Committee has taken into consideration, on balance, any and all submissions made before its decision including 8 written submissions. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

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

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITION(S):

To allow the construction of a new house on the subject property proposing a gross floor area – infill residential of 323.00sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 268.95sq.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 August 1, 2019.

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

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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 21, 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 **REN ZHAO HUI, LIANG QIN** for the property located at **4052 TEAKWOOD DRIVE**.
Date of Hearing on Thursday July 25, 2019
Date Decision Signed by the Committee August 1, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:11p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to permit an addition and accessory structure proposing:

1. A lot coverage of 47.80% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 45.00% in this instance;
2. Two accessory structures whereas By-law 0225-2007, as amended, permits a maximum of one accessory structure in this instance;
3. A rear yard setback of 7.14m (approx. 23.42ft) whereas By-law 0225-2007, as amended, requires a rear yard setback of 7.50m (approx. 24.60ft) in this instance;
4. A westerly side yard setback of 0.77m (approx. 2.53ft) whereas By-law 0225-2007, as amended, requires a minimum westerly side yard setback of 1.20m (approx. 3.94ft) in this instance; and
5. An easterly side yard setback of 0.75m (approx. 2.46ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 0.60m (approx. 1.97ft) in this instance.

I. Kulitis, agent, attended and presented evidence and comment in support of the application.

BACKGROUND

On June 13, 2019, I. Kulitis, agent, attended and requested to defer the application to make revisions.

The Committee consented to the request and deferred the application to the July 25, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated June 3, 2019)
- City of Mississauga, Transportation and Works Department (dated June 13, 2019)
- Region of Peel (dated June 5, 2019)

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated July 15, 2019)
- City of Mississauga, Transportation and Works Department (dated July 12, 2019)
- Region of Peel (dated July 16, 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, on balance, any and all submissions made before its decision. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

MOVED BY: D. George SECONDED BY: W. Shahrukh CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To permit an addition and accessory structure proposing:

1. A lot coverage of 47.80% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 45.00% in this instance;
2. Two accessory structures whereas By-law 0225-2007, as amended, permits a maximum of one accessory structure in this instance;
3. A rear yard setback of 7.14m whereas By-law 0225-2007, as amended, requires a rear yard setback of 7.50m in this instance;

Committee Decision dated at the City of Mississauga on August 1, 2019.

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

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"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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email Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **August 21, 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 **THEONIKI REALITY CORP** for the property located at **1201 HURONTARIO STREET**.
Date of Hearing on Thursday July 25, 2019
Date Decision Signed by the Committee August 1, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:15p.m.

APPLICATION DETAILS

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

1. A restaurant being located within 60.00m (approx. 196.85ft) of a residential zone whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.00m (approx. 196.85ft) from a residential zone in this instance;
2. 30 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 36 parking spaces in this instance; and
3. 1 accessible parking space whereas By-law 0225-2007, as amended, requires a minimum of 2 accessible parking spaces in this instance.

A. Yoon, 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 19, 2019)
- City of Mississauga, Transportation and Works Department (dated July 12, 2019)
- Region of Peel (dated July 16, 2019)
- Credit Valley Conservation (dated June 17, 2019)

CORRESPONDENCE & DISCUSSION

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

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

DECISION

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED:

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

1. A restaurant being located within 60.00m of a residential zone whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.00m from a residential zone in this instance;
2. 30 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 36 parking spaces in this instance; and
3. 1 accessible parking space whereas By-law 0225-2007, as amended, requires a minimum of 2 accessible parking spaces in this instance.

Committee Decision dated at the City of Mississauga on August 1, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	ABSENT D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<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 August 1, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

For a signed copy of this document
please call 905-615-3200 ext. 2408
or

email Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **August 21, 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.