

COMMITTEE OF ADJUSTMENT RESULTS



Location: COUNCIL CHAMBER
Hearing: AUGUST 22, 2019 AT 4:00 P.M.

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

MOTIONS

None

NEW APPLICATIONS - (CONSENT)

B-050/19	EHAB GUIRGUIS	5264 CREDITVIEW RD	6	Approved
B-051/19				(AC)
A-342/19				Approved
A-343/19				(AC)
A-344/19				Approved
				Approved
				Approved

NEW APPLICATIONS - (MINOR VARIANCE)

A-335/19	LYNNE ALICE LEGER	1403 BIRCHVIEW DR	2	Approved
				(AA)
A-336/19	KENNETH CARR & JENNIFER KEY-CARR	2434 WHALEY DR	7	Approved
				(AA)
A-337/19	1672736 ONTARIO INC	80 THOMAS ST	11	Approved
				(AC)
A-338/19	1666426 ONTARIO INC	914 BURNHAMTHORPE RD W	6	Deferred
				(Oct 10)
A-339/19	2184698 ONTARIO INC	5086 CREDITVIEW RD	6	Deferred
				(Oct 10)
A-340/19	TIMBERCREEK FOUR QUADRANT GP 2	1680 MATTAWA AVE & 1580-	1	Approved
A-341/19	INC.TIMBERCREEK 4Q COMMERCIAL	1590 DUNDAS ST. E.		
	VALUE-ADD LP (GTA)			
A-345/19	DERRY BRITANNIA DEVELOPMENTS LIMITED	0 NINTH LINE	10	Approved
				(AA, AC, AT)

DEFERRED APPLICATIONS - (MINOR VARIANCE)

None

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 **EHAB GUIRGUIS** for the property located at **5264 CREDITVIEW ROAD**.
Date of Hearing on Thursday August 22, 2019
Date Decision Signed by the Committee August 29, 2019

The hearing commenced at approximately 4:01p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:07p.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 14.15m (46.42ft) and an area of approximately 2,023sq.m (21,775.40sq.ft).

M. Rogers, 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 August 13, 2019)
- City of Mississauga, Transportation and Works Department (dated August 9, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated August 9, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated August 9, 2019)
- Region of Peel (dated August 2, 2019)
- Bell Canada, Right-of-Way (dated July 19, 2019)
- Credit Valley Conservation Authority (dated August 7, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

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

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

DECISION

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

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

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

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

MOVED BY: S. Patrizio SECONDED BY: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

To sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 14.15m and an area of approximately 2,023sq.m.

Committee Decision dated at the City of Mississauga on August 29, 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 August 29, 2019. |

"S. KENNEY"

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

SEAN KENNEY - SECRETARY-
TREASURER

or
email Committee.Adjustment@mississauga.ca

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

Date of Mailing: September 2, 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 **September 22, 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 September 2, 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. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
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" 342/19, "A" 343/19, & "A" 344/19).
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 August 9, 2019.
5. A letter shall be received from the City of Mississauga, Community Services Department, Park Planning Section, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated August 9, 2019.
6. A letter shall be received from the City of Mississauga, Community Services Department, Culture Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated August 9, 2019.
7. A letter shall be received from the Credit Valley Conservation Authority, indicating satisfactory arrangements have been made with respect to the matters addressed in their comments dated August 7, 2019

Lot Creation

- a. The variance application approved under File(s) A342/19, A343/19, & A344/19 must be finalized.

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

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: August 9, 2019

RE: **Applicant:** Ehab Guirguis
Date of Hearing: August 22, 2019
Location: 5264 Creditview Road
Our File: 'B' 50 to 51/19, Ward 6 (Z-38W)

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

A. Items Required Prior to the Issuance of Final Consent

1. Top of Bank Gratuitous Dedication

Confirmation will be required from the Community Services Department and Credit Valley Conservation Authority indicating that the required Greenlands (G1) has been gratuitously dedicated to the City of Mississauga. The sketch plan submitted notes that the Top of Bank has been staked out by the CVC on October 25, 2016.

2. Overall Servicing Proposal

The applicant is to submit a Functional Servicing Proposal prepared by a Consulting Engineer for this department's review/approval to confirm that all the necessary municipal services, in particular a storm sewer connection can be provided to the new dwelling to be constructed on the subject lands. We note that the storm sewer outlet for the subject lands is the existing 600mm storm sewer on Creditview Road.

3. 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.

4. Road Widening on Creditview Road

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

The applicant is to gratuitously dedicate to the City of Mississauga a road allowance widening towards the ultimate right-of-way width of 30.0m for Creditview Road as identified in the City's Official Plan. The dimensions related to right-of-way width and required widening are to be verified by the City's O.L.S., Al Jeraj at 905-615-3200 ext. 5789.

The applicant's surveyor is to prepare and submit two draft reference plans (detailing the required lands) to this section for review and approval. Following this approval, the applicant's surveyor should deposit the accepted draft reference plan and forward a copy of the registered plan to the City's Legal Services Section to finalize the process. This condition will be cleared upon receipt of confirmation from Legal Services identifying that the transfer has taken place and associated fees have been paid.

Should the applicant require more information with regards to the above, please contact Zain Zia from our Traffic Section at 905 615-3200 ext. 5318.

5. Environmental Site Assessment (ESA) for Top of Bank and Road Widening on Creditview Road Dedications

As Community Services will be requesting the gratuitous dedication of lands below the established top of bank and in regard to Condition A.4., the applicant will be required to deed gratuitously to the City lands below the established Top of Bank and a road widening across the Creditview Road frontage. Therefore, in accordance with Corporate Policy 09-08-02, a Phase 1 Environmental Site Assessment (ESA) will be required. The report should be prepared in accordance with O. Reg 153/04 (as amended), signed and dated by a Qualified Person as defined in O. Reg 153/04 (as amended) and include a clause or be accompanied by a letter signed by the author of the report or a Principal of the Consulting Firm, which allows the City of Mississauga to make reliance on the findings and conclusions presented in the report.

If the Phase One ESA indicates potential for contamination, a Phase Two Environmental Site Assessment will be required. If contamination is confirmed, a Remedial Action Plan that appropriately addresses the contamination will be required. Recommendations contained within the plan will be implemented by way of conditions to the development approval which may include the requirement to enter into a Development Agreement.

Should additional clarification be required with regard to the Environmental Site Assessment (ESA), please contact Valeriya Danylova, P.Eng, Environmental Technologist at 905 615-3200 ext. 5930 or valeriya.danylova@mississauga.ca should you require further information.

6. 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 land dedications. The fee amounts payable will be in accordance with the current fees and charges bylaw.

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,

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

Geospatial Solutions Group for the creation of new municipal addresses for the severed and retained lands. For further information, please contact Susie Tasca at (905) 615-3200 ext. 3088 or susie.tasca@mississauga.ca

B. GENERAL INFORMATION

1. Servicing

We note for the owner's information that all costs incurred in providing the required services (i.e., sanitary, water, storm, hydro, gas, etc.) to the subject lands will be the responsibility of the owner.

2. Access

We advise the applicant that all costs incurred in providing any new driveway entrance 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. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees.

3. Lot Grading and Drainage

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

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

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

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

DATE: August 9, 2019

FILES: "B" 50/19
"B" 51/19

SUBJECT: CONSENT APPLICATION
5264 CREDITVIEW ROAD
EHAB GUIRGUIS
WARD 6
AUGUST 22, 2019 PUBLIC HEARING OF THE COMMITTEE OF ADJUSTMENT

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

Given that the subject lands are not subject to site plan control, should the application be approved, Community Services wishes to impose the following conditions:

1. The applicant shall provide a cash contribution of \$2298.00 for planting of four (4 at \$574.50) street trees on Creditview 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.
2. Prior to the preparation of plans, the applicant is to contact Community Services - Park Planning to coordinate a site visit for site staking with appropriate staff from the Conservation Authority and the City. The plans must identify the top of bank, Regional storm floodline, stable valley slope, and/or woodland boundary/dripline to the satisfaction of the pertinent Conservation Authority and the City.
3. All lands below the greatest environmental constraint at the rear of the property (top-of-bank, long-term stable slope, or natural features), including a 10 meter buffer, shall be gratuitously dedicated to the City for conservation purposes.

The proposed greatest environmental constraint shall be consistent with the Greenlands Overlay which are designated Greenlands in the Mississauga Official Plan but are not zoned G1 or G2. The Greenlands Overlay also applies to lands within the Regulatory Floodplain, Special Policy Areas and the Lake Ontario Waterfront as identified in the Official Plan. Deviation from this established framework may require additional studies to assess the environmental impact on the Natural Heritage System.

The lands to the rear of the property are identified as Natural Hazard Lands within the City's Natural Heritage System. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;
- b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

The subject property is located directly adjacent to City owned Greenlands identified as Carolyn Creek (P-250). Placing the natural hazard lands into public ownership will strengthen the

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

connection to Caroyln Creek and contribute to the protection and enhancement of the Natural Heritage System.

4. A 1.5 metre high, black vinyl chain-link fence shall be built to current municipal standards, along City Owned lot lines. The fencing is to be located 0.15 metres inside the lands to be dedicated to the City.
5. The applicant shall provide securities for the fencing in the amount of \$15,250.00. The fencing will be erected and maintained to the satisfaction of the Community Services Department - Park Planning Section. Gates will not be permitted in the fence.
6. The applicant shall provide securities for the preservation/protection of City Owned lands south of the subject property in the amount of \$10,000.00. The page wire hoarding with sediment control will be erected and maintained to the satisfaction of the Community Services Department - Park Planning Section.
7. Submit a draft Reference Plan identifying the lands to be dedicated to the City.
8. Submit a Site Servicing Plan and Grading Plan that is to the satisfaction of the Community Services Department.
9. Prior to Greenlands dedication, the Applicant is to provide written confirmation that the Transportation and Works Department has received and approved Phase 1 and Phase 2 (if required) Environmental Site Assessment Report (ESA), together with a Record of Site Condition (RSC) for these dedicated lands. Both sets of documents are to be prepared, signed, dated and sealed by a Professional Engineer.

In addition, Community Services notes the following:

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

Should further information be required, please contact 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

Date: 2019/08/09

To: Chair, Committee of Adjustment
S. Kenney, Secretary-Treasurer, Committee of Adjustment

From: Heritage Planning
Culture Division, Community Services

Meeting Date: 2019/08/22

Subject: "B" 050/19 (Ward 6)
Consent Application
5264 Creditview Road
Ehab Guiruis

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. The proponent shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal and documenting, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Tourism, Culture and Sport confirming that all archaeological resource concerns have met licensing and resource conservation requirements. Letters to this effect from said Ministry corresponding to each archaeological assessment report and activity are required to be submitted to the Culture Division for review.

Heritage Planning
T: 905-615-3200 x 4061
Heritage.planning@mississauga.ca

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

August 7, 2019

Committee of Adjustment – Office of the City Clerk
Corporate Services Department
300 City Centre Drive
Mississauga, Ontario
L5B 3C1

Attention: Sean Kenney

Dear Mr. Kenney:

**Re: CVC File No. B 19/050, B 19/051
Municipality File No. B 50/19, B 51/19
Ehab Guirguis
5264 Creditview Road
Part of Lot 2, Concession 4 WHS
City of Mississauga**

Staff of Credit Valley Conservation (CVC) has had the opportunity to review the above-noted application and the following comments are provided for your consideration:

SITE CHARACTERISTICS:

The subject property is regulated because of a valley slope and floodplain associated with Carolyn Creek. In addition, the property is located within the Peel Core Greenlands and the City of Mississauga Natural Heritage System (Significant Natural Area). It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

ONTARIO REGULATION 160/06:

The property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is to our understanding that the applicants request the approval of the Committee to sever a parcel of land for the creation of two new lots. The parcels of land have frontages of approximately 14.15 m (46.42 ft) and an area of approximately 2,023 sq.m (21,775.40 sq.ft). The property is also subject to minor variance applications A 342/19, A 343/19 and A 344/19.



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

COMMENTS:

Based on our review, CVC staff **have concerns** and **recommend deferral** of the requested severance by the Committee at this time. As currently proposed, the severances fragment the natural features and hazards on site. CVC staff have previously been to site and staked the natural and hazardous features on the property. The new lot lines must be outside of, and sufficiently setback from, the natural and hazardous features as staked by CVC. Please contact the undersigned to arrange a meeting to discuss the proposed severances for the subject property.

Please note that CVC has also provided comments for the minor variance applications A 19/342, A 19/343 and A 19/344 for the subject property.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 236) should you have any further questions or concerns.

Please circulate CVC any future correspondence regarding this application.

Sincerely,

Elizabeth Paudel
Technician, Planning

Cc: John D. Rogers & Associates Inc.
via email: mrrogers@jdrplan.com

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 **EHAB GUIRGUIS** for the property located at **5264 CREDITVIEW ROAD**.
Date of Hearing on Thursday August 22, 2019
Date Decision Signed by the Committee August 29, 2019

The hearing commenced at approximately 4:01p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:07p.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 14.15m (46.42ft) and an area of approximately 2,023sq.m (21,775.40sq.ft).

M. Rogers, agent, attended and presented evidence and comment in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

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CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

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

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

DECISION

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

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

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

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

MOVED BY: S. Patrizio SECONDED BY: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 14.15m and an area of approximately 2,023sq.m.

Committee Decision dated at the City of Mississauga on August 29, 2019. |

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
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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

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Lot Creation

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FROM: D. Martin
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DATE: August 9, 2019

RE: **Applicant:** Ehab Guirguis
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 Our File: 'B' 50 to 51/19, Ward 6 (Z-38W)

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Should the applicant require more information with regards to the above, please contact Zain Zia from our Traffic Section at 905 615-3200 ext. 5318.

5. Environmental Site Assessment (ESA) for Top of Bank and Road Widening on Creditview Road Dedications

As Community Services will be requesting the gratuitous dedication of lands below the established top of bank and in regard to Condition A.4., the applicant will be required to deed gratuitously to the City lands below the established Top of Bank and a road widening across the Creditview Road frontage. Therefore, in accordance with Corporate Policy 09-08-02, a Phase 1 Environmental Site Assessment (ESA) will be required. The report should be prepared in accordance with O. Reg 153/04 (as amended), signed and dated by a Qualified Person as defined in O. Reg 153/04 (as amended) and include a clause or be accompanied by a letter signed by the author of the report or a Principal of the Consulting Firm, which allows the City of Mississauga to make reliance on the findings and conclusions presented in the report.

If the Phase One ESA indicates potential for contamination, a Phase Two Environmental Site Assessment will be required. If contamination is confirmed, a Remedial Action Plan that appropriately addresses the contamination will be required. Recommendations contained within the plan will be implemented by way of conditions to the development approval which may include the requirement to enter into a Development Agreement.

Should additional clarification be required with regard to the Environmental Site Assessment (ESA), please contact Valeriya Danylova, P.Eng, Environmental Technologist at 905 615-3200 ext. 5930 or valeriya.danylova@mississauga.ca should you require further information.

6. 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 land dedications. The fee amounts payable will be in accordance with the current fees and charges bylaw.

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,

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

Geospatial Solutions Group for the creation of new municipal addresses for the severed and retained lands. For further information, please contact Susie Tasca at (905) 615-3200 ext. 3088 or susie.tasca@mississauga.ca

B. GENERAL INFORMATION

1. Servicing

We note for the owner's information that all costs incurred in providing the required services (i.e., sanitary, water, storm, hydro, gas, etc.) to the subject lands will be the responsibility of the owner.

2. Access

We advise the applicant that all costs incurred in providing any new driveway entrance 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. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees.

3. Lot Grading and Drainage

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

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

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

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

DATE: August 9, 2019

FILES: "B" 50/19
"B" 51/19

SUBJECT: CONSENT APPLICATION
5264 CREDITVIEW ROAD
EHAB GUIRGUIS
WARD 6
AUGUST 22, 2019 PUBLIC HEARING OF THE COMMITTEE OF ADJUSTMENT

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

Given that the subject lands are not subject to site plan control, should the application be approved, Community Services wishes to impose the following conditions:

1. The applicant shall provide a cash contribution of \$2298.00 for planting of four (4 at \$574.50) street trees on Creditview 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.
2. Prior to the preparation of plans, the applicant is to contact Community Services - Park Planning to coordinate a site visit for site staking with appropriate staff from the Conservation Authority and the City. The plans must identify the top of bank, Regional storm floodline, stable valley slope, and/or woodland boundary/dripline to the satisfaction of the pertinent Conservation Authority and the City.
3. All lands below the greatest environmental constraint at the rear of the property (top-of-bank, long-term stable slope, or natural features), including a 10 meter buffer, shall be gratuitously dedicated to the City for conservation purposes.

The proposed greatest environmental constraint shall be consistent with the Greenlands Overlay which are designated Greenlands in the Mississauga Official Plan but are not zoned G1 or G2. The Greenlands Overlay also applies to lands within the Regulatory Floodplain, Special Policy Areas and the Lake Ontario Waterfront as identified in the Official Plan. Deviation from this established framework may require additional studies to assess the environmental impact on the Natural Heritage System.

The lands to the rear of the property are identified as Natural Hazard Lands within the City's Natural Heritage System. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;
- b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

The subject property is located directly adjacent to City owned Greenlands identified as Carolyn Creek (P-250). Placing the natural hazard lands into public ownership will strengthen the

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

connection to Caroyln Creek and contribute to the protection and enhancement of the Natural Heritage System.

4. A 1.5 metre high, black vinyl chain-link fence shall be built to current municipal standards, along City Owned lot lines. The fencing is to be located 0.15 metres inside the lands to be dedicated to the City.
5. The applicant shall provide securities for the fencing in the amount of \$15,250.00. The fencing will be erected and maintained to the satisfaction of the Community Services Department - Park Planning Section. Gates will not be permitted in the fence.
6. The applicant shall provide securities for the preservation/protection of City Owned lands south of the subject property in the amount of \$10,000.00. The page wire hoarding with sediment control will be erected and maintained to the satisfaction of the Community Services Department - Park Planning Section.
7. Submit a draft Reference Plan identifying the lands to be dedicated to the City.
8. Submit a Site Servicing Plan and Grading Plan that is to the satisfaction of the Community Services Department.
9. Prior to Greenlands dedication, the Applicant is to provide written confirmation that the Transportation and Works Department has received and approved Phase 1 and Phase 2 (if required) Environmental Site Assessment Report (ESA), together with a Record of Site Condition (RSC) for these dedicated lands. Both sets of documents are to be prepared, signed, dated and sealed by a Professional Engineer.

In addition, Community Services notes the following:

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

Should further information be required, please contact 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

Date: 2019/08/09

To: Chair, Committee of Adjustment
S. Kenney, Secretary-Treasurer, Committee of Adjustment

From: Heritage Planning
Culture Division, Community Services

Meeting Date: 2019/08/22

Subject: "B" 050/19 (Ward 6)
Consent Application
5264 Creditview Road
Ehab Guiruis

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. The proponent shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal and documenting, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Tourism, Culture and Sport confirming that all archaeological resource concerns have met licensing and resource conservation requirements. Letters to this effect from said Ministry corresponding to each archaeological assessment report and activity are required to be submitted to the Culture Division for review.

Heritage Planning
T: 905-615-3200 x 4061
Heritage.planning@mississauga.ca

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

August 7, 2019

Committee of Adjustment – Office of the City Clerk
Corporate Services Department
300 City Centre Drive
Mississauga, Ontario
L5B 3C1

Attention: Sean Kenney

Dear Mr. Kenney:

**Re: CVC File No. B 19/050, B 19/051
Municipality File No. B 50/19, B 51/19
Ehab Guirguis
5264 Creditview Road
Part of Lot 2, Concession 4 WHS
City of Mississauga**

Staff of Credit Valley Conservation (CVC) has had the opportunity to review the above-noted application and the following comments are provided for your consideration:

SITE CHARACTERISTICS:

The subject property is regulated because of a valley slope and floodplain associated with Carolyn Creek. In addition, the property is located within the Peel Core Greenlands and the City of Mississauga Natural Heritage System (Significant Natural Area). It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

ONTARIO REGULATION 160/06:

The property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is to our understanding that the applicants request the approval of the Committee to sever a parcel of land for the creation of two new lots. The parcels of land have frontages of approximately 14.15 m (46.42 ft) and an area of approximately 2,023 sq.m (21,775.40 sq.ft). The property is also subject to minor variance applications A 342/19, A 343/19 and A 344/19.

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

COMMENTS:

Based on our review, CVC staff **have concerns** and **recommend deferral** of the requested severance by the Committee at this time. As currently proposed, the severances fragment the natural features and hazards on site. CVC staff have previously been to site and staked the natural and hazardous features on the property. The new lot lines must be outside of, and sufficiently setback from, the natural and hazardous features as staked by CVC. Please contact the undersigned to arrange a meeting to discuss the proposed severances for the subject property.

Please note that CVC has also provided comments for the minor variance applications A 19/342, A 19/343 and A 19/344 for the subject property.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 236) should you have any further questions or concerns.

Please circulate CVC any future correspondence regarding this application.

Sincerely,

Elizabeth Paudel
Technician, Planning

Cc: John D. Rogers & Associates Inc.
via email: mrogers@jdrplan.com

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 **EHAB GUIRGUIS** for the property located at **5264 CREDITVIEW ROAD**.

Date of Hearing on Thursday August 22, 2019

Date Decision Signed by the Committee August 29, 2019

The hearing commenced at approximately 4:01p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:07p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the creation of a new lot on the subject property, being the severed lands of application B50/19, proposing a lot frontage of 14.15m (approx. 46.42ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance.

M. Rogers, 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 13, 2019)
- City of Mississauga, Transportation and Works Department (dated August 9, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated August 9, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated August 9, 2019)
- Region of Peel (dated August 2, 2019)
- Bell Canada, Right-of-Way (dated July 19, 2019)
- Credit Valley Conservation Authority (dated August 7, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the creation of a new lot on the subject property, being the severed lands of application B50/19, proposing a lot frontage of 14.15m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m in this instance.

Committee Decision dated at the City of Mississauga on August 29, 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 August 29, 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 **September 18, 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 **EHAB GUIRGUIS** for the property located at **5264 CREDITVIEW ROAD**.
Date of Hearing on Thursday August 22, 2019
Date Decision Signed by the Committee August 29, 2019

The hearing commenced at approximately 4:01p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:07p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the creation of a new lot on the subject property, being the severed lands of application B51/19, proposing a lot frontage of 14.15m (approx. 46.42ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance.

M. Rogers, 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 13, 2019)
- City of Mississauga, Transportation and Works Department (dated August 9, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated August 9, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated August 9, 2019)
- Region of Peel (dated August 2, 2019)
- Bell Canada, Right-of-Way (dated July 19, 2019)
- Credit Valley Conservation Authority (dated August 7, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the creation of a new lot on the subject property, being the severed lands of application B51/19, proposing a lot frontage of 14.15m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m in this instance.

Committee Decision dated at the City of Mississauga on August 29, 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 August 29, 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 **September 18, 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 **EHAB GUIRGUIS** for the property located at **5264 CREDITVIEW ROAD**.
Date of Hearing on Thursday August 22, 2019
Date Decision Signed by the Committee August 29, 2019

The hearing commenced at approximately 4:01p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:07p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the creation of a new lot on the subject property, being the retained lands of consent application B51/19, proposing a lot frontage of 14.15m (approx. 46.42ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance.

M. Rogers, 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 13, 2019)
- City of Mississauga, Transportation and Works Department (dated August 9, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated August 9, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated August 9, 2019)
- Region of Peel (dated August 2, 2019)
- Bell Canada, Right-of-Way (dated July 19, 2019)
- Credit Valley Conservation Authority (dated August 7, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the creation of a new lot on the subject property, being the retained lands of consent application B51/19, proposing a lot frontage of 14.15m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m in this instance.

Committee Decision dated at the City of Mississauga on August 29, 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 August 29, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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please call 905-615-3200 ext. 2408

or
email Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **September 18, 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 **LYNNE ALICE LEGER** for the property located at **1403 BIRCHVIEW DRIVE**.
Date of Hearing on Thursday August 22, 2019
Date Decision Signed by the Committee August 29, 2019

The hearing commenced at approximately 4:01p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:17p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to permit accessory structures 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; and
2. An area of an accessory structure (gazebo) of 24.62sq.m (approx. 265.01sq.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.

A. Beaumont, 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 14, 2019)
- City of Mississauga, Transportation and Works Department (dated August 9, 2019)
- Region of Peel (dated August 2, 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:

To permit an accessory structure on the subject property proposing a maximum area occupied by a single accessory building or structure of 24.62sq.m whereas By-law 0225-2007, as amended permits a maximum area of a single accessory building or structure of 10.00sq.m in this instance.

Committee Decision dated at the City of Mississauga on August 29, 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 August 29, 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 **September 18, 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 **KENNETH CARR & JENNIFER KEY-CARR**
for the property located at **2434 WHALEY DRIVE.**

Date of Hearing on Thursday August 22, 2019

Date Decision Signed by the Committee August 29, 2019

The hearing commenced at approximately 4:01p.m.

No Member declared a pecuniary interest for this application.

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

APPLICATION DETAILS

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

1. An area of an accessory structure (gazebo) of 15.60sq.m (approx. 168.00sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 10.00sq.m (approx. 107.64sq.ft) in this instance;
2. A height of an accessory structure (gazebo) of 3.20m (approx. 10.50ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m (approx. 9.84ft) in this instance;
3. Three (3) storage sheds whereas By-law 0225-2007, as amended, permits a maximum of one (1) storage shed in this instance; and
4. An area of a rear deck of 27.90sq.m (approx. 300.31sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of a rear deck of 10.00sq.m (approx. 107.64sq.ft) in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated 13, 2019)
- City of Mississauga, Transportation and Works Department (dated August 9, 2019)
- Region of Peel (dated August 2, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A petition of support was received signed by seven area residents.

One area resident appeared before the Committee and expressed concern for 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 oral 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: J. Kwast SECONDED BY: W. Shahrukh CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To permit an accessory structure on the subject property proposing:

1. An area of an accessory structure (gazebo) of 15.60sq.m whereas, By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 10.00sq.m, in this instance; and
2. A height of an accessory structure of 3.20m whereas, By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m in this instance.

Committee Decision dated at the City of Mississauga on August 29, 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 August 29, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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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 **September 18, 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 **1672736 ONTARIO INC** for the property located at **80 THOMAS STREET**.
Date of Hearing on Thursday August 22, 2019
Date Decision Signed by the Committee August 29, 2019

The hearing commenced at approximately 4:01p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:31p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to permit a semi-detached model home as a temporary sales office whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated 13, 2019)
- City of Mississauga, Transportation and Works Department (dated August 9, 2019)
- Region of Peel (dated August 2, 2019)
- Credit Valley Conservation (dated August 6, 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: J. Kwast CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITIONS:

To permit a semi-detached model home as a temporary sales office whereas By-law 0225-2007, as amended, does not permit such a use 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 August 29, 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
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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 **TIMBERCREEK FOUR QUADRANT GP 2 INC. & TIMBERCREEK 4Q
COMMERCIAL VALUE-ADD LP (GTA)**
for the property located at **1680 MATTAWA AVENUE.**
Date of Hearing on Thursday August 22, 2019
Date Decision Signed by the Committee August 29, 2019

The hearing commenced at approximately 4:01p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:40p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow for the creation of a new lot, being the Severed lands from application B6/19, proposing 118 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 171 parking spaces in this instance.

P. Smith, 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 14, 2019)
- City of Mississauga, Transportation and Works Department (dated August 9, 2019)
- Region of Peel (dated August 2, 2019)
- Toronto and Region Conservation (dated August 12, 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. Kennedy CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow for the creation of a new lot, being the Severed lands from application B6/19, proposing 118 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 171 parking spaces in this instance.

Committee Decision dated at the City of Mississauga on August 29, 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
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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 **TIMBERCREEK FOUR QUADRANT GP 2 INC. & TIMBERCREEK 4Q
COMMERCIAL VALUE-ADD LP (GTA)**
for the property located at **1680 MATTAWA AVENUE.**
Date of Hearing on Thursday August 22, 2019
Date Decision Signed by the Committee August 29, 2019

The hearing commenced at approximately 4:01p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:40p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow for the creation of a new lot, being the Retained lands from application B6/19, proposing an aisle width of 6.00m (approx. 19.68ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.96ft) in this instance.

P. Smith, 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 14, 2019)
- City of Mississauga, Transportation and Works Department (dated August 9, 2019)
- Region of Peel (dated August 2, 2019)
- Toronto and Region Conservation (dated August 12, 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. Kennedy CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow for the creation of a new lot, being the Retained lands from application B6/19, proposing an aisle width of 6.00m whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m in this instance.

Committee Decision dated at the City of Mississauga on August 29, 2019.

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

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This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **September 18, 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 **DERRY BRITANNIA DEVELOPMENTS LIMITED**
for the property located at **0 NINTH LINE.**
Date of Hearing on Thursday August 22, 2019
Date Decision Signed by the Committee August 29, 2019

The hearing commenced at approximately 4:01p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:44p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to permit a new temporary presentation centre and 8 model homes, whereas By-law 0225-2007, as amended, permits only existing structures and uses in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated 13, 2019)
- City of Mississauga, Transportation and Works Department (dated August 9, 2019)
- Region of Peel (dated August 2, 2019)
- Conservation Halton (dated August 8, 2019)
- The Ministry of Transportation (dated July 26, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A memorandum was received from Ward Councillor McFadden expressing no 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 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: S. Patrizio SECONDED BY: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED SUBJECT TO TERMS AND CONDITIONS FOR A TEMPORARY PERIOD OF 4 YEARS (approval will lapse on August, 31, 2023):

To permit a new temporary presentation centre, whereas By-law 0225-2007, as amended, permits only existing structures and uses in this instance.

TERMS:

1. No sales shall occur on site until receipt of draft plan approval.

CONDITIONS:

1. Enter into a Section 45 agreement of the Planning Act, R.S.O. 1990, c P. 13, to secure any necessary requirements for the presentation centre if required.

Committee Decision dated at the City of Mississauga on August 29, 2019.

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<u>"D. COOK"</u> D. COOK	

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