

COMMITTEE OF ADJUSTMENT RESULTS



Location: COUNCIL CHAMBER
Hearing: SEPTEMBER 5, 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

None

NEW APPLICATIONS - (CONSENT)

B-052/19	1294759 ONTARIO LIMITED	52 BENSON AVE	1	Approved (AC)
B-053/19	TOUCHTONE CONSTRUCTION INC.	0 ENFIELD PL	7	Approved
B-054/19	ARMDALE ESTATES INC.	3600-3606 HURONTARIO ST.		(AC)

NEW APPLICATIONS - (MINOR VARIANCE)

A-346/19	JOEL PHILP	257-261 QUEEN ST S	11	Deferred (Dec 12)
A-347/19	ANDRIY & NATALIYA ALEKSANDRYUK	483 AVONWOOD DR	1	Deferred (Oct 24)
A-348/19	MELODY & KAM MA	2581 MINDEMOYA RD	7	Approved (AA)
A-349/19	MONA ENGESET-FAUSTINO & JOAQUIM FAUSTINO	1181 CRESTDALE RD	2	Approved
A-350/19	TERESITA SUET FONG LAM	125 QUEEN ST S	11	Approved (AA, ACP)
A-351/19	KULWINDER LIDDAR	4644 ROSEBUSH RD	6	Deferred (Nov 7)
A-352/19	BHAGAT & KAMALJEET SINGH	5496 HEATHERLEIGH AVE	6	Approved
A-353/19	CREDITVIEW ESTATE HOMES LIMITED	1525 BRISTOL RD W	6	Approved (AA)
A-354/19	IRENA & WITOLD RENTEL	399 HILLBURY DR	4	Approved
A-355/19	JOHN CUCCI LIMITED	1290 MATHESON BLVD E	5	Approved
A-356/19	CHERYL JOAQUIM	1372 KENMUIR AVE	1	Approved (AA, ACP)
A-357/19	CITY OF MISSISSAUGA	4415 MISSISSAUGA RD	8	Approved

DEFERRED APPLICATIONS - (MINOR VARIANCE)

A-077/19	SHAOLIN LI, AIFEN CHEN	898 PARKLAND AVE	2	Approved (AA, ACP)
A-250/19	HUSSEIN RAMADAN, HODA RAMADAN	3673 BLUESTREAM CRES	3	Approved (AA, ACP)
A-252/19	ALBURT LEFEVBRE	1535 GLENBURNIE RD	1	Approved (ACP)
A-300/19	EDENSHAW PARK DEVELOPMENTS LIMITED	21, 25, 27 & 29 PARK ST E	1	Approved

Decision of the Mississauga Committee of Adjustment under
Section 53 of The Planning Act R.S.O. 1990, C.P.13, as amended.
Application by **1294759 ONTARIO LIMITED** for the property located at **52 BENSON AVENUE**
Date of Hearing on Thursday September 5, 2019
Date Decision Signed by the Committee September 12, 2019

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

No Member declared a pecuniary interest for this application.

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

APPLICATION DETAILS

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.76m (25.46ft) and an area of approximately 490.00sq.m (5,274.32sq.ft).

M. Rutigliano, the property owner, attended and presented evidence and comment in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated August 26, 2019)
- City of Mississauga, Transportation and Works Department (dated August 23, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated August 22, 2019)
- Region of Peel (dated August 16, 2019)
- Bell Canada, Right-of-Way (dated July 31, 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 owner 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 submissions.

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

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

To sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.76m and an area of approximately 490.00sq.m.

Committee Decision dated at the City of Mississauga on September 12, 2019

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	ABSENT D. KENNEDY
ABSENT 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 September 12, 2019.

"S. KENNEY"

For a signed copy of this document

please call 905-615-3200 ext. 2408

or email

Committee.Adjustment@mississauga.ca

SEAN KENNEY - SECRETARY-
TREASURER

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

Date of Mailing: September 16, 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 **October 6, 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 16, 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 (A8/18 & A9/18).
4. 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 22, 2019.
5. A letter shall be received from Bell Canada, Right-of-way, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated July 31, 2019.

Lot Creation

- a. The variance applications previously approved under File(s) A8/18 & A9/18 have been finalized.

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

DATE: August 22, 2019
FILE: "B" 52/19
SUBJECT: CONSENT APPLICATION
52 BENSON AVENUE
1294759 ONTARIO INC.
WARD 1
SEPTEMBER 5, 2019 PUBLIC HEARING OF THE COMMITTEE OF ADJUSTMENT

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

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

1. Two (2) Autumn Blaze Maple – good condition
2. Two (2) Red Maple – good condition
3. One (1) Birch – good condition

Should the application be approved, Community Services wishes to impose the following conditions:

1. The applicant shall provide framed tree hoarding to the dripline of the above noted trees to the satisfaction of City of Mississauga Forestry Staff. Please call Ryan Cormier at 905-615-3200 ext. 4580 to arrange a hoarding inspection.

In addition, Community Services notes the following:

1. City Forestry Staff hold securities in the amount of \$7,970.35 for the preservation of street trees from the previous application (B 02/18).
1. Please be advised that upon the completion of the works, securities may be held for up to two years as determined by City of Mississauga Forestry Staff.
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

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

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

July 31, 2019

Mississauga Committee of Adjustment
Office of the City Clerk
300 City Centre Drive
Mississauga, ON
L5B 3C1

Attention: Secretary-Treasurer
Email only: committee.adjustment@mississauga.ca

Dear Sir/Madame:

Subject: Application for Consent – Severance
52 Benson
Pt Lots 30 & 31 Plan G22
Bell File: 905-19-132

We acknowledge receipt and thank you for your correspondence July 30, 2019.

Subsequent to review of the Severance Application by our local Engineering Department, it has been identified that Bell Canada will require a transfer of easement over these lands to protect existing aerial facilities, supply service to the properties, and to maintain service in the area. According to our records, Bell's aerial cable runs parallel to the south (rear lot) property boundary as identified in the attached provided sketch.

Bell Canada would like to confirm that a blanket easement over the lands designated as 52 Benson Ave., or a 3.0m wide corridor to be measured 1.5 m on either side of the aerial facilities, as can be accommodated, would satisfy our needs.

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

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

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

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

Yours truly,

Carrie Gordon
Right of Way Associate
(Encl.)

Decision of the Mississauga Committee of Adjustment under
Section 53 of The Planning Act R.S.O. 1990, C.P.13, as amended.
Application by **TOUCHTONE CONSTRUCTION INC.** for the property located at **0 ENFIELD PLACE.**
Date of Hearing on Thursday September 5, 2019
Date Decision Signed by the Committee September 12, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:43p.m.

APPLICATION DETAILS

The applicant requests the approval of the Committee to sever a parcel of land for the purpose of a lot addition and easements. The parcel of land has a frontage of approximately 32.96m (108.14ft) and an area of approximately 2,895.58sq.m (31,167.80sq.ft). The parcel will be added to the property immediately to the east known as 3600 - 3606 Hurontario Street.

J. Lethbridge, 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 26, 2019)
- City of Mississauga, Transportation and Works Department (dated August 23, 2019)
- Region of Peel (dated August 16, 2019)
- Bell Canada, Right-of-Way (dated July 31, 2019)

CORRESPONDENCE & DISCUSSION

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

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

DECISION

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

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

To sever a parcel of land for the purpose of a lot addition and easements. The parcel of land has a frontage of approximately 32.96m and an area of approximately 2,895.58sq.m. The parcel will be added to the property immediately to the east known as 3600 - 3606 Hurontario Street.

Committee Decision dated at the City of Mississauga on September 12, 2019 |

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	ABSENT D. KENNEDY
ABSENT 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 September 12, 2019.

"S. KENNEY"

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SEAN KENNEY - SECRETARY-
TREASURER

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

Date of Mailing: September 16, 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 **October 6, 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 16, 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.
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 23, 2019.

Lot Addition

- a. Subsection 50(3) and/or 50(5) of the Planning Act, shall apply to any subsequent conveyance or transaction that is subject to this consent and the Secretary-Treasurer's Certificate shall contain reference to this stipulation.
- b. The severed portion shall merge into common ownership with the lands municipally know as 3600 – 3606 Hurontario Street for file B53/19, and 0 Enfield Place for file B54/19. If required the applicant may have to submit a letter form a lawyer describing how the two properties will be merged.

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 23, 2019

Re: **Applicant:** Touchtone Construction Ltd and 1077022 Ontario Inc. and Armdale Estates Inc.
Date of Hearing: September 5, 2019
Our File: 'B' 53 and 54/19 Ward 7 (Z-22)

This Department has no objections to the applicant's request which is identical to the six previous Consent Applications which have lapsed, Reference 'B' 36 & 37/18, 'B' 26 & 27/17, 'B' 19 and 20/16 'B' 6 and 7/15, 'B' 65 and 66/13 and 'B' 86 and 87/12. These applications will permit a land exchange to occur between Armdale Estates Inc. and The Conservatory Group which will create new parcels to be developed for future high density residential and commercial purposes along with the establishment of access and maintenance easements. The land exchange will facilitate a more orderly development and will also permit vehicular access for both parcels to be from Enfield Place and Matthews Gate rather than Hurontario Street. Acknowledging that the proposed Light Rail Transit (LRT) system is to be constructed along the Hurontario-Main corridor, access for the subject properties will not be permitted onto Hurontario Street. The vehicular access for the Armdale Estates Inc. lands (southerly parcel) will be from Enfield Place via an existing driveway which will also be shared with the existing condominium development to the west. The Conservatory lands (northerly parcel) will have their primary access from Matthews Gate with the service vehicle access being from the mutual right-of-way easement with access onto Enfield Place.

It should also be acknowledged that there is currently a "H-CC2 Holding Category" zoning designation on the subject lands. The "Holding Category" zoning designation prevents development of the subject lands until such time that the owner/applicant has satisfied a number of site specific conditions/requirements of development such as the delivery of an executed Development Agreement which includes Municipal Infrastructure Schedules in a form satisfactory to the Corporation of the City of Mississauga specifically addressing the construction of any required municipal works in support of the development, land dedications, applicable securities, etc. In order to remove the holding category designation an application will have to be made to the City for the removal of the "H" Holding Symbol.

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

In view of the above, and should Committee see merit in the applicant's request we are providing the following conditions/requirements to be imposed as conditions of approval:

A. Items Required Prior to Final Consent

1. Full Scale Site Plan Depicting Easements

A full scale Site Plan is to be submitted for our review/approval which would clearly indicate the proposed severance lines and location of any proposed access and maintenance easements to be established. Access geometrics, driveways and access areas including loading areas and ramps to underground parking should be shown in order that we can properly evaluate the proposed access and maintenance easement locations.

2. Required Easements

Upon review of Item A1 and the confirmation of any required access and maintenance easements, the applicant/owner will be required to provide a letter prepared by a Solicitor which would specifically describe any new private easements to be established. It should also be noted that any documentation received will be forwarded as an attachment to our clearance memo to the Committee of Adjustment so that any new proposed private easement(s) can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

3. Road Widening Requirements

Satisfactory arrangement will have to be made to dedicate gratuitously to the City of Mississauga any lands required across the frontages of these properties which are necessary to achieve the ultimate right-of-way widths. In view of the above we are advising that any particulars with regards to land dedications will have to be to the satisfaction of the City's Ontario Land Surveyor and our Traffic Planning Section.

4. Environmental Site Assessment (ESA) for Road Widening

As a road widening across the frontages of these properties is being requested, 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.

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.

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

B. GENERAL INFORMATION

1. Development Agreement Including Schedules for Municipal Infrastructure to address the Relocation of Existing Storm Sewer

We note that the ultimate storm sewer outlet for the subject lands is the existing 1800mm storm sewer which is currently located on a municipal easement to the west and south of these lands. In order to accommodate any future development on the subject lands the relocation of the municipal storm sewer will be required and the owner/applicant will be required to enter into a Development Agreement which includes Municipal Infrastructure Schedules to complete the works. Acknowledging that there is currently a "HCC2 Holding Category" zoning designation on the subject lands, and that any future development of the subject lands will require Site Plan Approval, the requirement for a Development Agreement will not be a condition to be satisfied under this Consent and will be addressed in any future development application for the subject lands.

2. Site Plan Approval

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

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

c: jlethbridge@bellnet.ca

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 **ARMDALE ESTATES INC.**
for the property located at **3600 – 3606 HURONTARIO STREET.**
Date of Hearing on Thursday September 5, 2019
Date Decision Signed by the Committee September 12, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:43p.m.

APPLICATION DETAILS

The applicant requests the approval of the Committee to sever a parcel of land for the purpose of a lot addition and easements. The parcel of land has a frontage of approximately 22.82m (74.87ft) and an area of approximately 1,101.50sq.m (11,856.45sq.ft). The parcel will be added to the property immediately to the West known as 0 Enfield Drive.

J. Lethbridge, 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 26, 2019)
- City of Mississauga, Transportation and Works Department (dated August 23, 2019)
- Region of Peel (dated August 16, 2019)
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CORRESPONDENCE & DISCUSSION

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

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

DECISION

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

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

To sever a parcel of land for the purpose of a lot addition and easements. The parcel of land has a frontage of approximately 22.82m and an area of approximately 1,101.50sq.m. The parcel will be added to the property immediately to the West known as 0 Enfield Drive.

Committee Decision dated at the City of Mississauga on September 12, 2019

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

SEAN KENNEY - SECRETARY-
TREASURER

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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 23, 2019.

Lot Addition

- a. Subsection 50(3) and/or 50(5) of the Planning Act, shall apply to any subsequent conveyance or transaction that is subject to this consent and the Secretary-Treasurer's Certificate shall contain reference to this stipulation.
- b. The severed portion shall merge into common ownership with the lands municipally know as 3600 – 3606 Hurontario Street for file B53/19, and 0 Enfield Place for file B54/19. If required the applicant may have to submit a letter form a lawyer describing how the two properties will be merged.

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 23, 2019

Re: Applicant: Touchtone Construction Ltd and 1077022 Ontario Inc. and Armdale Estates Inc.
Date of Hearing: September 5, 2019
Our File: 'B' 53 and 54/19 Ward 7 (Z-22)

This Department has no objections to the applicant's request which is identical to the six previous Consent Applications which have lapsed, Reference 'B' 36 & 37/18, 'B' 26 & 27/17, 'B' 19 and 20/16 'B' 6 and 7/15, 'B' 65 and 66/13 and 'B' 86 and 87/12. These applications will permit a land exchange to occur between Armdale Estates Inc. and The Conservatory Group which will create new parcels to be developed for future high density residential and commercial purposes along with the establishment of access and maintenance easements. The land exchange will facilitate a more orderly development and will also permit vehicular access for both parcels to be from Enfield Place and Matthews Gate rather than Hurontario Street. Acknowledging that the proposed Light Rail Transit (LRT) system is to be constructed along the Hurontario-Main corridor, access for the subject properties will not be permitted onto Hurontario Street. The vehicular access for the Armdale Estates Inc. lands (southerly parcel) will be from Enfield Place via an existing driveway which will also be shared with the existing condominium development to the west. The Conservatory lands (northerly parcel) will have their primary access from Matthews Gate with the service vehicle access being from the mutual right-of-way easement with access onto Enfield Place.

It should also be acknowledged that there is currently a "H-CC2 Holding Category" zoning designation on the subject lands. The "Holding Category" zoning designation prevents development of the subject lands until such time that the owner/applicant has satisfied a number of site specific conditions/requirements of development such as the delivery of an executed Development Agreement which includes Municipal Infrastructure Schedules in a form satisfactory to the Corporation of the City of Mississauga specifically addressing the construction of any required municipal works in support of the development, land dedications, applicable securities, etc. In order to remove the holding category designation an application will have to be made to the City for the removal of the "H" Holding Symbol.

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

In view of the above, and should Committee see merit in the applicant's request we are providing the following conditions/requirements to be imposed as conditions of approval:

A. Items Required Prior to Final Consent

1. Full Scale Site Plan Depicting Easements

A full scale Site Plan is to be submitted for our review/approval which would clearly indicate the proposed severance lines and location of any proposed access and maintenance easements to be established. Access geometrics, driveways and access areas including loading areas and ramps to underground parking should be shown in order that we can properly evaluate the proposed access and maintenance easement locations.

2. Required Easements

Upon review of Item A1 and the confirmation of any required access and maintenance easements, the applicant/owner will be required to provide a letter prepared by a Solicitor which would specifically describe any new private easements to be established. It should also be noted that any documentation received will be forwarded as an attachment to our clearance memo to the Committee of Adjustment so that any new proposed private easement(s) can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

3. Road Widening Requirements

Satisfactory arrangement will have to be made to dedicate gratuitously to the City of Mississauga any lands required across the frontages of these properties which are necessary to achieve the ultimate right-of-way widths. In view of the above we are advising that any particulars with regards to land dedications will have to be to the satisfaction of the City's Ontario Land Surveyor and our Traffic Planning Section.

4. Environmental Site Assessment (ESA) for Road Widening

As a road widening across the frontages of these properties is being requested, 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.

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.

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

B. GENERAL INFORMATION

1. Development Agreement Including Schedules for Municipal Infrastructure to address the Relocation of Existing Storm Sewer

We note that the ultimate storm sewer outlet for the subject lands is the existing 1800mm storm sewer which is currently located on a municipal easement to the west and south of these lands. In order to accommodate any future development on the subject lands the relocation of the municipal storm sewer will be required and the owner/applicant will be required to enter into a Development Agreement which includes Municipal Infrastructure Schedules to complete the works. Acknowledging that there is currently a "HCC2 Holding Category" zoning designation on the subject lands, and that any future development of the subject lands will require Site Plan Approval, the requirement for a Development Agreement will not be a condition to be satisfied under this Consent and will be addressed in any future development application for the subject lands.

2. Site Plan Approval

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

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

c: jlethbridge@bellnet.ca

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 **MELODY & KAM MA** for the property located at **2581 MINDEMOYA ROAD**.
Date of Hearing on Thursday September 5, 2019
Date Decision Signed by the Committee September 12, 2019

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

No Member declared a pecuniary interest for this application.

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

APPLICATION DETAILS

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

1. A deck for a residential use whereas By-law 0225-2007, as amended, does not permit a deck for a residential use in this instance; and
2. A side yard measured to a deck of 7.06m (approx. 23.20ft) whereas By-law 0225-2007, as amended, permits a maximum side yard measured to a deck of 3.00m (approx. 9.84ft) in this instance.

X. Liu, 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 26, 2019)
- City of Mississauga, Transportation and Works Department (dated August 22, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated August 19, 2019)
- Region of Peel (dated August 16, 2019)

CORRESPONDENCE & DISCUSSION

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

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: J. Kwast SECONDED BY: W. Shahrukh CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow the construction of a deck on the subject property proposing:

1. To permit an accessory structure (deck) for a detached dwelling; whereas, By-law 225-2007, as amended, does not permit a detached dwelling in a C4-34 zone; and
2. A side yard measured to a deck of 7.06m whereas By-law 0225-2007, as amended, permits a maximum side yard measured to a deck of 3.00m in this instance.

Committee Decision dated at the City of Mississauga on September 12, 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 September 12, 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 **October 2, 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 **MONA ENGESET-FAUSTINO & JOAQUIM FAUSTINO** for the property located at
1181 CRESTDALE ROAD.

Date of Hearing on Thursday September 5, 2019
Date Decision Signed by the Committee September 12, 2019

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

No Member declared a pecuniary interest for this application.

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

APPLICATION DETAILS

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

1. A combined width of side yards of 3.38m (approx. 11.09ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 6.18m (approx. 20.28ft) in this instance;
2. A side yard of 1.45m (approx. 4.76ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;
3. A front yard of 7.56m (approx. 24.80ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 9.00m (approx. 29.52ft) in this instance; and
4. A porch encroachment of 3.27m (approx. 10.73ft) whereas By-law 0225-2007, as amended, permits a maximum porch encroachment of 1.50m (approx. 4.92ft) in this instance.

P. Vozikas, 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 26, 2019)
- City of Mississauga, Transportation and Works Department (dated August 22, 2019)
- Region of Peel (dated August 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 all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.



MISSISSAUGA

File: "A" 349/19
WARD 2

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 approve a minor variance to allow the construction of an addition on the subject property proposing:

1. A combined width of side yards of 3.38m whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 6.18m in this instance;
2. A side yard of 1.45m whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m in this instance;
3. A front yard of 7.56m whereas By-law 0225-2007, as amended, requires a minimum front yard of 9.00m in this instance; and
4. A porch encroachment of 3.27m whereas By-law 0225-2007, as amended, permits a maximum porch encroachment of 1.50m in this instance.

Committee Decision dated at the City of Mississauga on September 12, 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>ABSENT</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 **October 2, 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 **TERESITA SUET FONG LAM**
for the property located at **125 QUEEN STREET SOUTH.**
Date of Hearing on Thursday September 5, 2019
Date Decision Signed by the Committee September 12, 2019

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

No Member declared a pecuniary interest for this application.

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

APPLICATION DETAILS

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

1. Angled parking whereas By-law 0225-2007, as amended, does not permit angled parking in this instance;
2. An aisle width of 4.80m (approx. 15.75ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 23.00ft) in this instance; and
3. 0 loading spaces whereas By-law 0225-2007, as amended, requires a minimum of 1 loading space in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated August 26, 2019)
- City of Mississauga, Transportation and Works Department (dated August 22, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated August 19, 2019)
- Region of Peel (dated August 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 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 SUBJECT TO CONDITIONS:

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

1. An aisle width of 4.80m whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m in this instance; and
2. 0 loading spaces whereas By-law 0225-2007, as amended, requires a minimum of 1 loading space 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 September 12, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	ABSENT D. KENNEDY
ABSENT 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 **October 2, 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 **BHAGAT & KAMALJEET SINGH**
for the property located at **5496 HEATHERLEIGH AVENUE.**

Date of Hearing on Thursday September 5, 2019

Date Decision Signed by the Committee September 12, 2019

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

No Member declared a pecuniary interest for this application.

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

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow a reduced garage on the subject property proposing:

1. A garage area of 5.61m x 4.82m (approx. 18.41ft x 15.81ft) whereas By-law 0225-2007, as amended, requires a minimum garage area of 2.75m x 6.00m (approx. 9.02ft x 19.68ft) in this instance; and
2. An unobstructed area in a garage of 2.36m x 4.82m (approx. 7.74ft x 15.81ft) whereas By-law 0225-207, as amended, requires a minimum unobstructed area in a garage of 2.75m x 5.20m (approx. 9.02ft x 17.06ft) in this instance.

M. Marino, 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 26, 2019)
- City of Mississauga, Transportation and Works Department (dated August 22, 2019)
- Region of Peel (dated August 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 current driveway configuration. The agent stated that the applicant would reconfigure the driveway to comply with By-law requirements.

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: D. Cook SECONDED BY: J. Page CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To approve a minor variance to allow a reduced garage on the subject property proposing:

1. A garage area of 5.61m x 4.82m whereas By-law 0225-2007, as amended, requires a minimum garage area of 2.75m x 6.00m in this instance; and
2. An unobstructed area in a garage of 2.36m x 4.82m whereas By-law 0225-207, as amended, requires a minimum unobstructed area in a garage of 2.75m x 5.20m in this instance.

Committee Decision dated at the City of Mississauga on September 12, 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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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 **October 2, 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 **CREDITVIEW ESTATE HOMES LIMITED**
for the property located at **1525 BRISTOL ROAD WEST**.
Date of Hearing on Thursday September 5, 2019
Date Decision Signed by the Committee September 12, 2019

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

No Member declared a pecuniary interest for this application.

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

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the operation of a restaurant in Units 7 & 8 of the subject property proposing 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.

M. Marino, 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 26, 2019)
- City of Mississauga, Transportation and Works Department (dated August 22, 2019)
- Region of Peel (dated August 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 all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

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

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

The Applicant requests the Committee to approve a Minor Variance to allow the operation of a take-out restaurant in Units 7 & 8 of the subject property, 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.

Committee Decision dated at the City of Mississauga on September 12, 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 September 12, 2019

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **October 2, 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 **IRENA & WITOLD RENTEL** for the property located at **399 HILLBURY DRIVE**.
Date of Hearing on Thursday September 5, 2019
Date Decision Signed by the Committee September 12, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:08p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow the construction of an addition proposing a second storey setback from the garage face of 3.38m (approx. 11.09ft) whereas By-law 0225-2007, as amended, permits a maximum second storey setback from the garage face of 2.50m (approx. 8.20ft) in this instance.

W. Rentel, the property owner, attended and presented evidence and comment in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated August 26, 2019)
- City of Mississauga, Transportation and Works Department (dated August 22, 2019)
- Region of Peel (dated August 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

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: J. Page SECONDED BY: D. Cook CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of an addition proposing a second storey setback from the garage face of 3.38m whereas By-law 0225-2007, as amended, permits a maximum second storey setback from the garage face of 2.50m in this instance.

Committee Decision dated at the City of Mississauga on September 12, 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 September 12, 2019

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **October 2, 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 **JOHN CUCCI LIMITED**
for the property located at **1290 MATHESON BOULEVARD EAST.**
Date of Hearing on Thursday September 5, 2019
Date Decision Signed by the Committee September 12, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:11p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the existing parking lot to remain on the subject property proposing a surface with a 0.00m vertical depth comprised of stable surface such as asphalt, concrete, pervious material or other hard surface material whereas By-law 0225-2007, as amended, requires a minimum surface with a 0.15m (approx. 0.49ft) vertical depth comprised of stable surface such as asphalt, concrete, pervious material or other hard surface material 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 August 26, 2019)
- City of Mississauga, Transportation and Works Department (dated August 22, 2019)
- Region of Peel (dated August 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 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 allow the existing parking lot to remain on the subject property proposing a surface with a 0.00m vertical depth comprised of stable surface such as asphalt, concrete, pervious material or other hard surface material whereas By-law 0225-2007, as amended, requires a minimum surface with a 0.15m vertical depth comprised of stable surface such as asphalt, concrete, pervious material or other hard surface material in this instance.

Committee Decision dated at the City of Mississauga on September 12, 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 September 12, 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 **October 2, 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 **CHERYL JOAQUIM** for the property located at **1372 KENMUIR AVENUE**.
Date of Hearing on Thursday September 5, 2019
Date Decision Signed by the Committee September 12, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:15p.m.

APPLICATION DETAILS

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

1. A gross floor area of 366.50sq.m (approx. 3,945.00sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 336.26sq.m (approx. 3,619.50sq.ft) in this instance;
2. A combined width of side yards of 3.96m (approx. 13.00ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 4.94m (approx. 16.21ft) in this instance;
3. A side yard (southerly) of 1.55m (approx. 5.09ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;
4. A height of an accessory structure (outdoor fireplace) of 5.43m (approx. 17.81ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m (approx. 9.84ft) in this instance; and
5. A height measured to the eaves of 6.80m (approx. 22.31ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) 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 August 26, 2019)
- City of Mississauga, Transportation and Works Department (dated August 22, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated August 22, 2019)
- Region of Peel (dated August 16, 2019)

CORRESPONDENCE & DISCUSSION

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

One area resident on behalf of 12 area residents appeared before the Committee and objected to the application. The resident submitted a petition signed by 12 area residents objecting to the 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. Page SECONDED BY: W. Shahrukh CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITIONS:

To approve a minor variance to allow the construction of a new house on the subject property proposing:

1. A gross floor area of 366.50sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 336.26sq.m in this instance;
2. A combined width of side yards of 3.96m whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 4.94m in this instance;
3. A side yard (southerly) of 1.55m whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m in this instance;
4. A height measured to the eaves of 6.80m whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m 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 September 12, 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 **October 2, 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 **CITY OF MISSISSAUGA** for the property located at **4415 MISSISSAUGA ROAD**.
Date of Hearing on Thursday September 5, 2019
Date Decision Signed by the Committee September 12, 2019

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

No Member declared a pecuniary interest for this application.

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

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow a community garden with raised beds, inclusive of the ability to sell the produce at retail, whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

H. McColl, 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 26, 2019)
- City of Mississauga, Transportation and Works Department (dated August 22, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated August 19, 2019)
- Region of Peel (dated August 16, 2019)
- The Ministry of Transportation (dated August 26, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A memorandum was received from Ward 8 Councillor Mahoney expressing support for the subject application.

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

DECISION

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED:

To allow a community garden with raised beds, inclusive of the ability to sell the produce at retail, 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 September 12, 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-
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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 **October 2, 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 **SHAOLIN LI, AIFEN CHEN** for the property located at **898 PARKLAND AVENUE**.
Date of Hearing on Thursday September 5, 2019
Date Decision Signed by the Committee September 12, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:37p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to permit widened walkways on the subject property, proposing two (2) walkway attachments with a width of 4.96m (approx. 16.27ft) (south side) and a walkway attachment with a width of 1.50m (approx. 4.92ft) (north side) whereas By-law 0225-2007, as amended, permits a maximum of one (1) walkway attachment with a width of 1.50m (approx. 4.92ft) in this instance.

S. Zhang, agent, attended and presented evidence and comment in support of the application.

BACKGROUND

On July 11, 2019, S. Li, the property owner, attended and requested to defer the application to add an additional variance to the application.

The Committee consented to the request and deferred the application to the September 5th, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated July 4, 2019)
- City of Mississauga, Transportation and Works Department (dated June 27, 2019)
- Region of Peel (dated June 27, 2019)
- A letter from Ward Councillor Ras was received expressing concerns for the application.

On May 9th 2019, S. Zhang, agent, requested to defer the application to meet with staff and make revisions to the application.

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

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated April 29, 2019)
- City of Mississauga, Transportation and Works Department (dated April 30, 2019)
- Region of Peel (dated April 26, 2019)
- Two letters of objection were received from area residents.

On March 7th, 2019, S. Zhang, agent, attended and requested to defer the application to submit revised plans and make revisions to the application.

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

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated July 4, 2019)
- City of Mississauga, Transportation and Works Department (dated June 27, 2019)
- Region of Peel (dated June 27, 2019)
- A letter from Ward Councillor Ras was received expressing concerns for the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated August 26, 2019)
- City of Mississauga, Transportation and Works Department (dated August 22, 2019)
- Region of Peel (dated August 16, 2019)

CORRESPONDENCE & DISCUSSION

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

Three area residents appeared before the Committee and objected the 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 three written submissions, and three oral 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 CONDITIONS:

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

1. Two (2) walkway attachments on the southerly side of the driveway whereas By-law 0225-2007, as amended, permits a maximum of one (1) walkway attachment on each side of the driveway in this instance;
2. An increase in width for two walkway attachment, one being 2.44 m and the other being 2.52 m on the southerly side of the driveway whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50 m in this instance.

CONDITIONS:

1. Construction related to this variance shall be in general conformance with the site plan approved by the Committee.
2. If required the applicant shall enter into a Section 45 agreement under the Planning Act, R.S.O. 1990, c P. 13, to secure any necessary requirements for landscaping to be maintained.
3. Installation of raised planting beds by October 31st, 2019.

Committee Decision dated at the City of Mississauga on September 12, 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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"S. KENNEY"

SEAN KENNEY - SECRETARY-
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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 **October 2, 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 **HUSSEIN RAMADAN, and HODA RAMADAN**
for the property located at **3673 BLUESTREAM CRESCENT**.

Date of Hearing on Thursday September 5, 2019

Date Decision Signed by the Committee September 12, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:56p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow the existing driveway to remain proposing a driveway width of 7.30m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m in this instance.

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

BACKGROUND

On July 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 September 5th, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated June 28, 2019)
- City of Mississauga, Transportation and Works Department (dated June 27, 2019)
- Region of Peel (dated June 27, 2019)
- A letter of objection was received from one area resident.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated August 26, 2019)
- City of Mississauga, Transportation and Works Department (dated August 22, 2019)
- Region of Peel (dated August 16, 2019)

CORRESPONDENCE & DISCUSSION

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

Two area residents appeared before the Committee and objected the application.

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

DECISION

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

Committee has taken into consideration, on balance, any and all submissions made before its decision including one written submission, and two oral 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 TERMS AND/OR CONDITIONS:

To approve a minor variance to allow the existing driveway to remain proposing a driveway width of 8.16m; whereas, By-law 0225-2007, as amended, requires a maximum driveway of 6.0m, in this instance.

CONDITIONS:

1. Construction related to this variance shall be in general conformance with the site plan approved by the Committee.
2. The applicant shall remove additional hard surfacing by October 31st, 2019, and planting of grass shall be done by June 30th, 2020.

Committee Decision dated at the City of Mississauga on September 12, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	DISSENTED 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 **October 2, 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 **ALBURT LEFEVBRE** for the property located at **1535 GLENBURNIE ROAD**.
Date of Hearing on Thursday September 5, 2019
Date Decision Signed by the Committee September 12, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:12p.m.

APPLICATION DETAILS

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

1. Combined side yard of 3.30m (approx. 10.83ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard of 4.60m (approx. 15.10ft) in this instance;
2. A height measured to the eaves of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
3. A building height measured to a flat roof of 8.40m (approx. 27.56ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance; and
4. A dwelling depth of 20.60m (approx. 67.59ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance.

S. Totten, agent, attended and presented evidence and comment in support of the application.

BACKGROUND

On July 11, 2019, P. Giordano, agent, attended and requested to defer the application to address staff concerns.

The Committee consented to the request and deferred the application to the September 5th, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated July 4, 2019)
- City of Mississauga, Transportation and Works Department (dated June 27, 2019)
- Region of Peel (dated June 27, 2019)
- Credit Valley Conservation (dated June 17, 2019)
- Letters of objection were received from two area residents.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated August 26, 2019)
- City of Mississauga, Transportation and Works Department (dated August 22, 2019)
- Region of Peel (dated August 16, 2019)
- Credit Valley Conservation Authority (dated August 23, 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 including two 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. Kwast SECONDED BY: J. Page CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITIONS:

To approve a minor variance to allow the construction of a two storey dwelling on the subject property proposing:

1. Combined side yard of 3.30m whereas By-law 0225-2007, as amended, requires a minimum combined side yard of 4.60m in this instance;
2. A height measured to the eaves of 7.62m whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m in this instance;
3. A building height measured to a flat roof of 8.40m whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m in this instance; and
4. A dwelling depth of 20.60m whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m 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 September 12, 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-
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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 **October 2, 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 **EDENSHAW PARK DEVELOPMENTS LIMITED**
for the property located at **21, 25, 27, 29 PARK STREET EAST STREET.**

Date of Hearing on Thursday September 5, 2019

Date Decision Signed by the Committee September 12, 2019

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

No Member declared a pecuniary interest for this application.

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

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the construction of a 15 storey residential condominium on the subject property, proposing:

1. Amenity area of 899.00sq.m (approx. 9,676.76sq.ft) whereas By-law 0225-2007, as amended, requires a minimum amenity area of 930.00sq.m (approx. 10,010.44sq.ft) in this instance;
2. A depth of a landscape buffer abutting an OS1 Zone of 4.25m (approx. 13.94m) adjacent to the property fence/wind screen, except where traversed by a ramp/stair structure, entry/exit path/walkway, or concrete pad and associated sculpture whereas By-law 0225-2007, as amended, requires a minimum depth of a landscape buffer abutting a OS1 Zone of 4.50m (approx. 14.76ft) in this instance;
3. A landscape buffer (definition) to mean a continuous open, unobstructed width of land substantially parallel to and adjoining a lot line or property fence/wind screen that is intended for the growth and maintenance of plant material including trees, shrubs and other landscape features such as retaining walls. The landscaped buffer may include an accessibility ramp, property fence/windscreen footings, fence, stairs and walkways, concrete pad, signage, utility easement and lighting and may be traversed by a driveway and/or walkway, the angle of which must be at least 60 degrees but no greater than 180 degrees measured from the applicable lot line, whereas By-law 0225-2007, as amended, provides a landscape buffer (definition) to mean a continuous open, unobstructed width of land substantially parallel to and adjoining a lot line that is intended for the growth and maintenance of plant material including trees, shrubs and other landscape features such as retaining walls. The landscaped buffer may include signage, utility easement and lighting and may be traversed by a driveway and/or walkway, the angle of which must be at least 60 degrees but no greater than 120 degrees measured from the applicable lot line in this instance;
4. A balcony projection and encroachment (floors 2-15, south & east faces) of 1.90m (approx. 6.23ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection and encroachment of 1.00m (approx. 3.28ft) in this instance;
5. A balcony projection and encroachment (floors 2-15, north & west faces) of 1.15m (approx. 3.75ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection and encroachment of 1.00m (approx. 3.28ft) in this instance;
6. A balcony projection (2nd floor terrace, south face) of 3.70m (approx. 12.14ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m (approx. 3.28ft) in this instance;
7. A balcony projection and encroachment (7th floor terrace, south face) of 5.00m (approx. 16.40ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection and encroachment of 1.00m (approx. 3.28ft) in this instance;
8. A balcony projection (7th floor terrace, east face) of 7.85m (approx. 25.75ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m (approx. 3.28ft) in this instance;
9. A balcony projection (11th floor terrace, east face) of 8.95m (approx. 29.36ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m (approx. 3.28ft) in this instance; and

10. A main entrance canopy shall be permitted to project 2.35m (approx. 7.79ft) from the building face and encroach 2.35m (approx. 7.79ft) into a required side or front yard whereas By-law 0225-2007, as amended, permits a maximum of 1.80m (approx. 5.90ft) in this instance.

K. Martel and O. Piovesan, agents, attended and presented evidence and comment in support of the application.

BACKGROUND

On July 25, 2019, K. Martel, agent, attended and presented evidence and comment in support of the application. She indicated that through the ongoing zoning review additional variances were identified and requested to amend the application.

Committee considered the additional variances and expressed concerns regarding proper notice and suggested a recirculation of the application would be appropriate. The application was deferred to the September 5th, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated July 19, 2019)
- City of Mississauga, Transportation and Works Department (dated July 12, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated July 11, 2019)
- Region of Peel (dated July 16, 2019)

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated August 26, 2019)
- City of Mississauga, Transportation and Works Department (dated August 22, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated August 22, 2019)
- Region of Peel (dated August 16, 2019)

CORRESPONDENCE & DISCUSSION

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

One area residents appeared before the Committee and expressed concerns for the 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 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: D. Cook CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of a 15 storey residential condominium on the subject property, proposing:

1. Amenity area of 899.00sq.m whereas By-law 0225-2007, as amended, requires a minimum amenity area of 930.00sq.m in this instance;
2. A depth of a landscape buffer abutting an OS1 Zone of 4.25m adjacent to the property fence/wind screen, except where traversed by a ramp/stair structure, entry/exit path/walkway, or concrete pad and associated sculpture whereas By-law 0225-2007, as amended, requires a minimum depth of a landscape buffer abutting a OS1 Zone of 4.50m in this instance;
3. A landscape buffer (definition) to mean a continuous open, unobstructed width of land substantially parallel to and adjoining a lot line or property fence/wind screen that is intended for the growth and maintenance of plant material including trees, shrubs and other landscape features such as retaining walls. The landscaped buffer may include an accessibility ramp, property fence/windscreen footings, fence, stairs and walkways, concrete pad, signage, utility easement and lighting and may be traversed by a driveway and/or walkway, the angle of which must be at least 60 degrees but no greater than 180 degrees measured from the applicable lot line, whereas By-law 0225-2007, as amended, provides a landscape buffer (definition) to mean a continuous open, unobstructed width of land substantially parallel to and adjoining a lot line that is intended for the growth and maintenance of plant material including trees, shrubs and other landscape features such as retaining walls. The landscaped buffer may include signage, utility easement and lighting and may be traversed by a driveway and/or walkway, the angle of which must be at least 60 degrees but no greater than 120 degrees measured from the applicable lot line in this instance;
4. A balcony projection and encroachment (floors 2-15, south & east faces) of 1.90m whereas By-law 0225-2007, as amended, permits a maximum balcony projection and encroachment of 1.00m in this instance;
5. A balcony projection and encroachment (floors 2-15, north & west faces) of 1.15m whereas By-law 0225-2007, as amended, permits a maximum balcony projection and encroachment of 1.00m in this instance;
6. A balcony projection (2nd floor terrace, south face) of 3.70m whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m in this instance;
7. A balcony projection and encroachment (7th floor terrace, south face) of 5.00m whereas By-law 0225-2007, as amended, permits a maximum balcony projection and encroachment of 1.00m in this instance;
8. A balcony projection (7th floor terrace, east face) of 7.85m whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m in this instance;
9. A balcony projection (11th floor terrace, east face) of 8.95m whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m in this instance; and
10. A main entrance canopy shall be permitted to project 2.35m from the building face and encroach 2.35m into a required side or front yard whereas By-law 0225-2007, as amended, permits a maximum of 1.80m in this instance.

Committee Decision dated at the City of Mississauga on September 12, 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 September 12, 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 **October 2, 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.