

**COMMITTEE OF ADJUSTMENT  
RESULTS**



**Location: COUNCIL CHAMBER**  
**Hearing: SEPTEMBER 12, 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**

B40-42/19 & A290-293/19 (3585 Dixie Rd) – Agent requests to move from Oct 24 to Dec 12 to have further discussions with staff.

B43/19 & A303/19 & A304/19 (376 Revus Ave) – Agent requests to move from Oct 24 to Nov 7 to have further discussions with staff.

**NEW APPLICATIONS - (CONSENT)**

B-055/19	2054288 ONTARIO LTD	2959 DREW RD	5	Approved (AC)
B-056/19 B-057/19	ANITA EKSTEIN HOLDINGS LIMITED; FRANK SEGAR HOLDINGS LTD	7517 BREN RD & 2630 RENA RD	5	Approved (AC)

**DEFERRED APPLICATIONS - (CONSENT)**

B-021/19	FAISAL CHALYA	1426 INDIAN GROVE	2	Refused
B-022/19	FAISAL CHALYA & ALAA KABAHA	1414 INDIAN GROVE	2	Refused

**NEW APPLICATIONS - (MINOR VARIANCE)**

A-358/19	JOSEPH CADETE	1309 MELTON DR	1	Approved (AA, AC, ACP)
A-359/19	GERALD & LINDSEY ANACLETO	1335 HAIG BLVD	1	Approved (AC, ACP)
A-360/19	2614134 ONTARIO LTD	3075 RIDGEWAY DR	8	D (Oct 24)
A-361/19	GREGORY RESNIK & JENNIFER BURNETT	6606 BLACKHEATH RIDGE	11	Approved
A-362/19	ABSOLUTE BUILDING SOLUTIONS INC	16 JAMES ST & 2 WILLIAM ST.	11	D (Nov 28)
A-363/19	GURCHARAN SINGH & BALJINDER THIND	10 NORTH ALARTON ST	5	Approved (AIP)
A-364/19	DAVID & ALISON WRIGHT	1458 WOODDEDEN DR	2	Approved
A-365/19	RAVI CHANDER JAIN	1796 MATTAWA AVE	1	D (Nov 28)
A-366/19	AMACON DEVELOPMENT (CITY CENTRE) CORP	4055 & 4085 PARKSIDE VILLAGE DR	4	Approved (AA, AC)
A-367/19	SUZY KALUTI	458 MEADOW WOOD RD	2	Approved (AC, ACP)
A-368/19	LISGAR DEVELOPMENT INC IN TRUST	1680 LAKESHORE RD W	2	Approved

**DEFERRED APPLICATIONS - (MINOR VARIANCE)**

A-273/19	NESTOR MARTYNETS & TETYANA LUNDYAK	4159 TOMKEN RD	3	D (Nov 28)
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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 **2054288 ONTARIO LTD** for the property located at **2959 DREW ROAD**.  
Date of Hearing on Thursday [September 12, 2019]  
Date Decision Signed by the Committee [September 19, 2019]

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:39p.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 36m (118ft) and an area of approximately 6059sq.m (65,218sq.ft).

R. Chaku, 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 September 3, 2019)
- City of Mississauga, Transportation and Works Department (dated August 30, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated August 28, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated September 6, 2019)
- Region of Peel (dated August 29, 2019)
- Bell Canada, Right-of-Way (dated August 28, 2019)

### **CORRESPONDENCE & DISCUSSION**

No public 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, on balance, any and all submissions made before its decision.

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

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

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

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

The Decision of the Committee is:

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

The 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 36m and an area of approximately 6059sq.m.

Committee Decision dated at the City of Mississauga on [September 19, 2019 ]

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<b>ABSENT</b> 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 19, 2019.]

"S. KENNEY"

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

SEAN KENNEY - SECRETARY-  
TREASURER

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

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

Date of Mailing: [September 23, 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 13, 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 23, 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 30, 2019.
5. A letter shall be received from the City of Mississauga, Community Services Department, Culture Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated September 6, 2019.
6. A letter shall be received from the City of Mississauga, Community Services Department, Parks Planning Section, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated August 28.

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

**TO:** S. Kenney, Secretary Treasurer  
Committee of Adjustment

**FROM:** D. Martin  
Transportation and Works

**DATE:** August 30, 2019

**RE:** **Applicant:** 2054288 Ontario Ltd  
**Date of Hearing:** September 12, 2019  
**Location:** 2959 Drew Road  
**Our File:** 'B' 55/19, Ward 5 (Z-49E)

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This Department has no objections to the applicant's request to sever a parcel of land to create a new lot. We note that the subject lands are located within Registered Plan of Subdivision 43M-1593 where a number of Transportation and Works Department requirements pertaining to grading and drainage, servicing and access, etc. were addressed.

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

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

1. Phase One Environmental Site Assessment

Based on our review of aerial images of the subject property from 2003, a large excavation was visible in the middle of this site; however, aerial images from 2004 indicated that the site was backfilled. Acknowledging that information submitted with the application indicates that the proposed use of the severed lands will be a religious temple, additional information with regards to any soil imported to the is property to backfill the excavation will be required. In this regard a Phase One Environmental Site Assessment is required for the property prior to the approval of the severance. The report must be prepared in accordance with Ontario Regulation 153/04, signed and dated by a Qualified Person (as defined by section 5 or 6 of O. Reg. 153/04, as applicable), and include a clause or be accompanied by a letter signed by the author of the reports or a Principal of the Consulting Firm, which allows the City of Mississauga to make reliance on the findings and conclusions presented in the reports to the same extent as to the property owner.

The wording of the reliance letter must meet the City's requirements. The template is provided on the City's website under Terms of Reference: <http://www.mississauga.ca/portal/residents/terms-of-reference>

For further assistance on this matter please contact Valeriya Danylova at 905-615-3200, x5930 or at [valeriya.danylova@mississauga.ca](mailto:valeriya.danylova@mississauga.ca)

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

**B. General Information**

1. Site Plan Approval

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

2. Site Line Analysis

It should be acknowledged that as part of any future development application on the subject lands, a sight line analysis will need to be completed to ensure that the proposed driveway access line of sight requirements are met.

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

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

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

DATE: August 28, 2019

FILE: "B" 55/19

SUBJECT: CONSENT APPLICATION  
2959 DREW ROAD  
2054288 ONTARIO LTD  
WARD 5  
SEPTEMBER 12, 2019 PUBLIC HEARING OF THE COMMITTEE OF ADJUSTMENT

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

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

1. The applicant shall provide a cash contribution of \$6894.00 for planting of twelve (12 at \$574.50) street trees on Drew Road. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

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

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



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 **ANITA EKSTEIN HOLDINGS LIMITED; FRANK SEGAR HOLDINGS LTD**  
for the property located at **7517 BREN ROAD.**  
Date of Hearing on Thursday September 12, 2019  
Date Decision Signed by the Committee September 19, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:41p.m.

### **APPLICATION DETAILS**

The applicant requests the approval of the Committee to create an easement on the subject property. The easement has an area of approximately 2,589sq.m (27,867.76sq.ft).

J. Thibault, 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 September 3, 2019)
- City of Mississauga, Transportation and Works Department (dated August 30, 2019)
- Region of Peel (dated August 29, 2019)

### **CORRESPONDENCE & DISCUSSION**

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

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

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

### **DECISION**

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

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

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

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

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

The Decision of the Committee is:

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

The applicant requests the approval of the Committee to create an easement on the subject property. The easement has an area of approximately 2,589sq.m.

Committee Decision dated at the City of Mississauga on [September 19, 2019 ]

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<b>ABSENT</b> 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 19, 2019.]

"S. KENNEY"

SEAN KENNEY - SECRETARY-  
TREASURER

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

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

Date of Mailing: [September 23, 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 13, 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 23, 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, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated August 30, 2019.

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

**TO:** S .Kenney, Secretary Treasurer  
Committee of Adjustment

**FROM:** D. Martin  
Transportation and Works

**DATE:** August 30, 2019

**RE:** **Applicant:** Anita Ekstein Holdings Ltd & Frank Segar Holdings Ltd  
**Date of Hearing:** September 12, 2019  
**Address:** 7517 Bren Road & 2630 Rena Road  
**Our File:** 'B' 56 & 57/19, Ward 5 (Z-49E)

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This department has no objections to the applicant's request to establish the required private easements for shared access and drainage. The applicant has submitted a detailed "Easement Sketch" drawing prepared by Weston Consulting which depicts the two properties (2630 Rena Road and 7517 Bren Road) along with the location of the proposed access and drainage easements.

In view of the above we have no objections to the applicant's request and are providing the following conditions/requirements for Committee's consideration:

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

1. Draft Reference Plan Required

A draft reference plan is to be submitted for our review/approval which would clearly show the location of all easements/rights-of-ways.

2. Required Easement(s)

The applicant/owner is to provide a letter prepared by their Solicitor which describes the new private easement(s) to be established for access and drainage purposes. It should be acknowledged 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 can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

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

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

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 **ANITA EKSTEIN HOLDINGS LIMITED; FRANK SEGAR HOLDINGS LTD**  
for the property located at **2630 RENA ROAD.**  
Date of Hearing on Thursday September 12, 2019  
Date Decision Signed by the Committee September 19, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:41p.m.

### **APPLICATION DETAILS**

The applicant requests the approval of the Committee to create an easement on the subject property. The easement has an area of approximately 1,162sq.m (12,507.66sq.ft).

J. Thibault, 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 September 3, 2019)
- City of Mississauga, Transportation and Works Department (dated August 30, 2019)
- Region of Peel (dated August 29, 2019)

### **CORRESPONDENCE & DISCUSSION**

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

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

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

### **DECISION**

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

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

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

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

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

The Decision of the Committee is:

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

The applicant requests the approval of the Committee to create an easement on the subject property. The easement has an area of approximately 1,162sq.m.

Committee Decision dated at the City of Mississauga on September 19, 2019

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<b>ABSENT</b> 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 19, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-  
TREASURER

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

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

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

Date of Mailing: September 23, 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 13, 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 23, 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, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated August 30, 2019.

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

**TO:** S .Kenney, Secretary Treasurer  
Committee of Adjustment

**FROM:** D. Martin  
Transportation and Works

**DATE:** August 30, 2019

**RE:** **Applicant:** Anita Ekstein Holdings Ltd & Frank Segar Holdings Ltd  
**Date of Hearing:** September 12, 2019  
**Address:** 7517 Bren Road & 2630 Rena Road  
**Our File:** 'B' 56 & 57/19, Ward 5 (Z-49E)

---

This department has no objections to the applicant's request to establish the required private easements for shared access and drainage. The applicant has submitted a detailed "Easement Sketch" drawing prepared by Weston Consulting which depicts the two properties (2630 Rena Road and 7517 Bren Road) along with the location of the proposed access and drainage easements.

In view of the above we have no objections to the applicant's request and are providing the following conditions/requirements for Committee's consideration:

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

1. Draft Reference Plan Required

A draft reference plan is to be submitted for our review/approval which would clearly show the location of all easements/rights-of-ways.

2. Required Easement(s)

The applicant/owner is to provide a letter prepared by their Solicitor which describes the new private easement(s) to be established for access and drainage purposes. It should be acknowledged 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 can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

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

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



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 **FAISAL CHALYA** for the property located at **1426 INDIAN GROVE**.  
Date of Hearing on Thursday [September 12, 2019]  
Date Decision Signed by the Committee [September 19, 2019]

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

No Member declared a pecuniary interest for this application.

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

### **APPLICATION DETAILS**

The 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 26.42m (86.68ft) and an area of approximately 1,029.40sq.m (11080.26sq.ft).

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

### **BACKGROUND**

On February 28, 2019, N. Dell, agent, attended and requested to defer the application to address staff comments.

The Committee consented to the request and deferred the application to the September 12<sup>th</sup>, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated February 15, 2019)
- City of Mississauga, Transportation and Works Department (dated February 15, 2019)
- City of Mississauga, Parks Planning Section (dated February 14, 2019)
- Region of Peel (dated February 15, 2019)
- Bell Canada (dated January 30, 2019)
- Letters of objection were received from 14 area residents.
- A memorandum was received from Ward Councillor Ras expressing concerns regarding the subject application. She requested the Committee to defer the subject application.

### **COMMENTS**

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated September 4, 2019)
- City of Mississauga, Transportation and Works Department (dated September 3 & 10, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated August 28, 2019)
- Region of Peel (dated August 29, 2019)

## **CORRESPONDENCE & DISCUSSION**

The Secretary – Treasurer noted the comments received from:

- A memorandum was received from Ward Councillor Ras expressing concerns regarding the subject application.
- Correspondence was received from 94 area residents expressing concerns for the subject application.
- Correspondence was received from 1 area resident expressing support for the subject application.
- Two petitions of support were received signed by 64 and 61 area residents.

Committee asked questions of the agent who appeared before the Committee regarding the 0.3m reserve restricting access from Edistel Crescent and if access is possible from Madigan's Lane.

An agent on behalf of the Tecumseth Area Residents Association appeared before the Committee and objected to the application. Concerns included traffic flow, pedestrian access onto the lane, and the potential for future lots along Indian Grove being severed.

2 area resident appeared before the Committee and objected to the application. Concerns included traffic, the potential for future development in the area, property values, and impacts on children from the schools.

An agent on behalf of area residents appeared before the Committee and objected to the application. His arguments included the functionality of the proposed turnaround, how other dead ends similar to Edistel Crescent are being dealt with in other parts of the City, and the 120 metre test.

The agent discussed that solutions could be found regarding the traffic concerns and emergency access that would be amicable for all.

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 111 written submissions, 4 oral submissions and 2 petitions.

The Committee, having considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, is not satisfied that the application will result in 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, as amended, resolves to refuse to grant consent as the application did not satisfy the requirements.

Accordingly, the Committee resolves to refuse the request.

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

The Decision of the Committee is:

**APPLICATION REFUSED:**

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 26.42m and an area of approximately 1,029.40sq.m.

Committee Decision dated at the City of Mississauga on September 19, 2019

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<b>ABSENT</b> 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 19, 2019.

"S. KENNEY"

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

SEAN KENNEY - SECRETARY-  
TREASURER

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

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

Date of Mailing: September 23, 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 13, 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 23, 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 September 10, 2019.
5. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated August 29, 2019.

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

**TO:** S. Kenney, Secretary Treasurer  
Committee of Adjustment

**FROM:** D. Martin  
Transportation and Works

**DATE:** September 10, 2019

**RE:** File – 'B' 21 & 22/19 – 1414 & 1426 Indian Grove

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Further to and notwithstanding our comments dated September 3, 2019 recommending refusal of the above noted applications, the Committee of Adjustment office has requested the Transportation & Works Department provide possible conditions of approval should Committee find the applications meeting the tests under Section 51(24) of the Planning Act. In this regard, we provide the following suggested conditions:

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

1. Functional Servicing Proposal

We request that the applicant submit a Functional Servicing Proposal and Servicing Plan prepared by a Consulting Engineer for this department's review/approval to confirm that all the necessary municipal services can be provided for the subject property. The applicants consulting engineer will be required to provide a drainage plan and design sheets as part of the FSR to confirm that there is enough capacity to accept the proposed change in the existing drainage pattern of the area. In addition, as the proposed grading and drainage plan is proposing a number of infiltration beds/trenches to accommodate all surface water run-offs, the applicant will be required to submit a soils investigation prepared by a professional engineer to verify that the soil conditions on the proposed lots are adequate to accommodate the proposed infiltration beds/trenches.

Upon the review of the Functional Servicing Proposal it will be determined if any servicing easements will have to be established in order to support this severance proposal.

2. Overall Grading and Drainage Plan

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

3. Council Approval for the Lifting of the 0.3m Reserve at the terminus of Edistel Crescent to access the Madigan's Lane lands to provide access to the "Severed Lands"

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

Satisfactory arrangements are to be made with our Traffic Planning Section with regards to undertaking the process of obtaining by-law approval from Council for the lifting of the existing 0.3M reserve across Edistel Crescent.

In view of the above we would request that the applicant contact Zain Zia from the Traffic Planning Section at 905 615 3200 ext. 5318 to discuss and make arrangements with regards to satisfying the requirement to lift the existing 0.3M reserve in the area of the proposed driveway for the new lot.

4. Satisfactory Evidence for Access Permissions to External Lands (Madigan's Lane) for the "Severed Lands"

Documentation satisfactory to the Transportation & Works Department is to be submitted that would indicate that the proposed "severed lands" would have access over the "Madigan's Lane" parcel in perpetuity. Should satisfactory evidence not be provided, a public easement may be required to secure access over a portion of "Madigan's Lane".

5. Satisfactory Arrangements are to be made for the Conceptual Design of the Turn-Around Facility

Satisfactory arrangements are to be made for the proposed conceptual design and access geometrics of the proposed turn-around facility to the satisfaction of the Transportation & Works Department.

Please note that a municipal cul-de-sac should be considered as the appropriate terminus of Edistel Crescent as supported through Official Plan policies. A further consent application may be required to sever off a portion of the private lane to be consolidated with the subject applications.

6. Development Agreement including Schedules for possible Municipal Infrastructure improvements, road works and any required Warning Clauses

Satisfactory arrangements will have to be made with regards to the owner entering into a Development Agreement with the City of Mississauga which may include Municipal Infrastructure Schedules to address the construction of any require storm, sanitary or water main works and any road modification works. The applicant may be required to submit and engineering submission for any proposed infrastructure or road works.

The applicant/owner should also acknowledge that the Transportation and Works Department will not issue it's clearance for this Consent Application until such time that the Development Agreement including Schedules for Municipal Infrastructure has been finalized, a By-Law to authorize the execution of the agreement passed by Council and the agreement fully executed by the City.

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

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

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

8. Municipal Address Requirement

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

**B. General Information**

1. Site Plan Approval

Any development of the "severed lands" will require the owner obtaining Site Plan Approval. Site specific 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

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

**August 29, 2019**

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

**Re: Region of Peel Consolidated Comments  
City of Mississauga Committee of Adjustment Hearing  
September 12<sup>th</sup>, 2019**

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**Deferred Consent Applications: DEF-B-021/19, DEF-B-022/19**  
Development Engineering: Camila Marczuk (905) 791-7800 x8230

The severed site does not have frontage on existing municipal water. Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. The applicant may require the creation of private water / sanitary sewer servicing easements. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

For location of existing water and sanitary sewer Infrastructure please contact Records at 905-791-7800 extension 7882 or by e-mail at [PWServiceRequests@peelregion.ca](mailto:PWServiceRequests@peelregion.ca)

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

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

Sincerely,



Tracy Tang  
Junior Planner  
Development Services, Region of Peel



Decision of the Mississauga Committee of Adjustment under  
Section 53 of The Planning Act R.S.O. 1990, C.P.13, as amended.  
Application by **FAISAL CHALYA** for the property located at **1414 INDIAN GROVE**.  
Date of Hearing on Thursday [September 12, 2019]  
Date Decision Signed by the Committee [September 19, 2019]

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

No Member declared a pecuniary interest for this application.

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

### **APPLICATION DETAILS**

The 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 24.38m (79.99ft) and an area of approximately 903.80sq.m (9728.42sq.ft).

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

### **BACKGROUND**

On February 28, 2019, N. Dell, agent, attended and requested to defer the application to address staff comments.

The Committee consented to the request and deferred the application to the September 12<sup>th</sup>, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated February 15, 2019)
- City of Mississauga, Transportation and Works Department (dated February 15, 2019)
- City of Mississauga, Parks Planning Section (dated February 14, 2019)
- Region of Peel (dated February 15, 2019)
- Bell Canada (dated January 30, 2019)
- Letters of objection were received from 14 area residents.
- A memorandum was received from Ward Councillor Ras expressing concerns regarding the subject application. She requested the Committee to defer the subject application.

### **COMMENTS**

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated September 4, 2019)
- City of Mississauga, Transportation and Works Department (dated September 3 & 10, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated August 28, 2019)
- Region of Peel (dated August 29, 2019)

## **CORRESPONDENCE & DISCUSSION**

The Secretary – Treasurer noted the comments received from:

- A memorandum was received from Ward Councillor Ras expressing concerns regarding the subject application.
- Correspondence was received from 94 area residents expressing concerns for the subject application.
- Correspondence was received from 1 area resident expressing support for the subject application.
- Two petitions of support were received signed by 64 and 61 area residents.

Committee asked questions of the agent who appeared before the Committee regarding the 0.3m reserve restricting access from Edistel Crescent and if access is possible from Madigan's Lane.

An agent on behalf of the Tecumseth Area Residents Association appeared before the Committee and objected to the application. Concerns included traffic flow, pedestrian access onto the lane, and the potential for future lots along Indian Grove being severed.

2 area resident appeared before the Committee and objected to the application. Concerns included traffic, the potential for future development in the area, property values, and impacts on children from the schools.

An agent on behalf of area residents appeared before the Committee and objected to the application. His arguments included the functionality of the proposed turnaround, how other dead ends similar to Edistel Crescent are being dealt with in other parts of the City, and the 120 metre test.

The agent discussed that solutions could be found regarding the traffic concerns and emergency access that would be amicable for all.

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 111 written submissions, 4 oral submissions and 2 petitions.

The Committee, having considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, is not satisfied that the application will result in 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, as amended, resolves to refuse to grant consent as the application did not satisfy the requirements.

Accordingly, the Committee resolves to refuse the request.

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

The Decision of the Committee is:

**APPLICATION REFUSED:**

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 24.38m and an area of approximately 903.80sq.m.

Committee Decision dated at the City of Mississauga on September 19, 2019

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<b>ABSENT</b> 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 19, 2019.

"S. KENNEY"

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

SEAN KENNEY - SECRETARY-  
TREASURER

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

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

Date of Mailing: September 23, 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 13, 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 23, 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 September 10, 2019.
5. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated August 29, 2019.

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

**TO:** S. Kenney, Secretary Treasurer  
Committee of Adjustment

**FROM:** D. Martin  
Transportation and Works

**DATE:** September 10, 2019

**RE:** File – 'B' 21 & 22/19 – 1414 & 1426 Indian Grove

---

Further to and notwithstanding our comments dated September 3, 2019 recommending refusal of the above noted applications, the Committee of Adjustment office has requested the Transportation & Works Department provide possible conditions of approval should Committee find the applications meeting the tests under Section 51(24) of the Planning Act. In this regard, we provide the following suggested conditions:

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

1. Functional Servicing Proposal

We request that the applicant submit a Functional Servicing Proposal and Servicing Plan prepared by a Consulting Engineer for this department's review/approval to confirm that all the necessary municipal services can be provided for the subject property. The applicants consulting engineer will be required to provide a drainage plan and design sheets as part of the FSR to confirm that there is enough capacity to accept the proposed change in the existing drainage pattern of the area. In addition, as the proposed grading and drainage plan is proposing a number of infiltration beds/trenches to accommodate all surface water run-offs, the applicant will be required to submit a soils investigation prepared by a professional engineer to verify that the soil conditions on the proposed lots are adequate to accommodate the proposed infiltration beds/trenches.

Upon the review of the Functional Servicing Proposal it will be determined if any servicing easements will have to be established in order to support this severance proposal.

2. Overall Grading and Drainage Plan

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

3. Council Approval for the Lifting of the 0.3m Reserve at the terminus of Edistel Crescent to access the Madigan's Lane lands to provide access to the "Severed Lands"

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

Satisfactory arrangements are to be made with our Traffic Planning Section with regards to undertaking the process of obtaining by-law approval from Council for the lifting of the existing 0.3M reserve across Edistel Crescent.

In view of the above we would request that the applicant contact Zain Zia from the Traffic Planning Section at 905 615 3200 ext. 5318 to discuss and make arrangements with regards to satisfying the requirement to lift the existing 0.3M reserve in the area of the proposed driveway for the new lot.

4. Satisfactory Evidence for Access Permissions to External Lands (Madigan's Lane) for the "Severed Lands"

Documentation satisfactory to the Transportation & Works Department is to be submitted that would indicate that the proposed "severed lands" would have access over the "Madigan's Lane" parcel in perpetuity. Should satisfactory evidence not be provided, a public easement may be required to secure access over a portion of "Madigan's Lane".

5. Satisfactory Arrangements are to be made for the Conceptual Design of the Turn-Around Facility

Satisfactory arrangements are to be made for the proposed conceptual design and access geometrics of the proposed turn-around facility to the satisfaction of the Transportation & Works Department.

Please note that a municipal cul-de-sac should be considered as the appropriate terminus of Edistel Crescent as supported through Official Plan policies. A further consent application may be required to sever off a portion of the private lane to be consolidated with the subject applications.

6. Development Agreement including Schedules for possible Municipal Infrastructure improvements, road works and any required Warning Clauses

Satisfactory arrangements will have to be made with regards to the owner entering into a Development Agreement with the City of Mississauga which may include Municipal Infrastructure Schedules to address the construction of any require storm, sanitary or water main works and any road modification works. The applicant may be required to submit and engineering submission for any proposed infrastructure or road works.

The applicant/owner should also acknowledge that the Transportation and Works Department will not issue it's clearance for this Consent Application until such time that the Development Agreement including Schedules for Municipal Infrastructure has been finalized, a By-Law to authorize the execution of the agreement passed by Council and the agreement fully executed by the City.

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

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

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

8. Municipal Address Requirement

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

**B. General Information**

1. Site Plan Approval

Any development of the "severed lands" will require the owner obtaining Site Plan Approval. Site specific 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

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

**August 29, 2019**

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

**Re: Region of Peel Consolidated Comments  
City of Mississauga Committee of Adjustment Hearing  
September 12<sup>th</sup>, 2019**

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**Deferred Consent Applications: DEF-B-021/19, DEF-B-022/19**  
Development Engineering: Camila Marczuk (905) 791-7800 x8230

The severed site does not have frontage on existing municipal water. Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. The applicant may require the creation of private water / sanitary sewer servicing easements. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

For location of existing water and sanitary sewer Infrastructure please contact Records at 905-791-7800 extension 7882 or by e-mail at [PWServiceRequests@peelregion.ca](mailto:PWServiceRequests@peelregion.ca)

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

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

Sincerely,



Tracy Tang  
Junior Planner  
Development Services, Region of Peel



Decision of the Mississauga Committee of Adjustment under  
Section 45(1) OR (2) of The Planning Act R.S.O. 1990, c.P.13, as amended.  
Application by **JOSEPH CADETE** for the property located at **1309 MELTON DRIVE**.  
Date of Hearing on Thursday September 12, 2019  
Date Decision Signed by the Committee September 19, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:28p.m.

### **APPLICATION DETAILS**

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

1. A front yard measured to the dwelling of 5.37m (approx. 17.62ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the dwelling of 7.50m (approx. 24.61ft) in this instance;
2. A front yard measured to the garage of 5.64m (approx. 18.50ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage of 7.50m (approx. 24.61ft) in this instance;
3. A side yard of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance; and
4. A porch encroachment of 4.14m (approx. 13.58ft) whereas By-law 0225-2007, as amended, permits a maximum porch encroachment of 1.60m (approx. 5.25ft) in this instance.

E. Peres, 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 September 4, 2019)
- City of Mississauga, Transportation and Works Department (dated August 30, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated August 28, 2019)
- Region of Peel (dated August 29, 2019)

### **CORRESPONDENCE & DISCUSSION**

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

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

### **DECISION**

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

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

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

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

The Decision of the Committee is:

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

To allow the construction of additions on the subject property proposing:

1. A front yard measured to the dwelling of 5.37m whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the dwelling of 7.50m in this instance;
2. A front yard measured to the garage of 5.64m whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage of 7.50m in this instance;
3. A side yard of 1.22m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m in this instance; and
4. A porch encroachment of 3.36m whereas By-law 0225-2007, as amended, permits a maximum porch encroachment of 1.60m in this instance.

**CONDITIONS:**

1. Correspondence shall be received from the Community Services Department, Parks Planning Section, indicating that satisfactory arrangements have been made with respect to their comments dated August 28, 2019
2. Construction related to this variance shall be in general conformance with the plans approved by the Committee.

Committee Decision dated at the City of Mississauga on September 19, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<b>ABSENT</b> 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 19, 2019

"S. KENNEY"

SEAN KENNEY - SECRETARY-  
TREASURER

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

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

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **October 9, 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 **GERALD & LINDSEY ANACLETO** for the property located at  
**1335 HAIG BOULEVARD.**

Date of Hearing on Thursday September 12, 2019  
Date Decision Signed by the Committee September 19, 2019

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

No Member declared a pecuniary interest for this application.

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

### **APPLICATION DETAILS**

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

1. A lot coverage of 36.57% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% of the lot area in this instance;
2. A height of 7.80m (approx. 25.59ft) whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) in this instance; and
3. A driveway width of 6.51m (approx. 21.36ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.05m (approx. 16.57ft) in this instance.

E. Peres, 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 September 4, 2019)
- City of Mississauga, Transportation and Works Department (dated August 30, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated August 28, 2019)
- Region of Peel (dated August 29, 2019)

### **CORRESPONDENCE & DISCUSSION**

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from 1 area residents expressing concerns regarding the proposed height.

Committee asked questions of the agent who appeared before the Committee regarding the proposed height. The agent indicated that the height was due to how height is measured and at grade the house complies with the height permitted in the By-law.

## **DECISION**

Committee has taken into consideration, on balance, any and all submissions made before its decision including 1 written submission. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

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

The Decision of the Committee is:

**APPLICATION APPROVED SUBJECT TO CONDITIONS:**

To allow the construction of additions on the subject property proposing:

1. A lot coverage of 36.57% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% of the lot area in this instance;
2. A height of 7.80m whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m in this instance; and
3. A driveway width of 6.51m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.05m in this instance.

**CONDITIONS:**

1. Correspondence shall be received from the Community Services Department, Parks Planning Section, indicating that satisfactory arrangements have been made with respect to their comments dated August 28, 2019
2. 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 19, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<b>ABSENT</b> 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 9, 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 **GREGORY RESNIK & JENNIFER BURNETT** for the property located at  
**6606 BLACKHEATH RIDGE.**

Date of Hearing on Thursday September 12, 2019  
Date Decision Signed by the Committee September 19, 2019

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

No Member declared a pecuniary interest for this application.

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

### **APPLICATION DETAILS**

The applicants request the Committee to approve a minor variance to allow the construction of an accessory structure on the subject property proposing a height of 3.70m (approx. 12.14ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (approx. 9.84ft) in this instance.

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

### **COMMENTS**

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated September 3, 2019)
- City of Mississauga, Transportation and Works Department (dated August 30, 2019)
- Region of Peel (dated August 29, 2019)

### **CORRESPONDENCE & DISCUSSION**

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from 2 area residents expressing objections regarding the subject application.

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

### **DECISION**

Committee has taken into consideration, on balance, any and all submissions made before its decision including 2 written submissions. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

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

The Decision of the Committee is:

**APPLICATION APPROVED:**

To allow the construction of an accessory structure on the subject property proposing a height of 3.70m whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m in this instance.

Committee Decision dated at the City of Mississauga on September 19, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<b>ABSENT</b> 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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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 9, 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 **GURCHARAN SINGH & BALJINDER THIND** for the property located at  
**10 NORTH ALARTON STREET.**

Date of Hearing on Thursday September 12, 2019  
Date Decision Signed by the Committee September 19, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:17p.m.

### **APPLICATION DETAILS**

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

1. A gross floor area of 381.15sq.m (approx. 4,102.66sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 318.95sq.m (approx. 3,433.15sq.ft) in this instance;
2. A rear yard of 2.87m (approx. 9.42ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.60ft) in this instance;
3. A rear yard measured to a balcony of 1.89m (approx. 6.20ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a balcony of 6.50m (approx. 21.32ft) in this instance; and
4. A driveway width of 7.96m (approx. 26.12ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance.

M. Siddiqui, 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 September 3, 2019)
- City of Mississauga, Transportation and Works Department (dated August 30, 2019)
- Region of Peel (dated August 29, 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 regarding elevations.

## **DECISION**

Committee has taken into consideration, on balance, any and all submissions made before its decision. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the only variances 1, 2 & 3 were minor in nature, desirable for the appropriate development on the subject property, and maintain the general intent and purpose of the Zoning By-law and the Official Plan.

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

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

The Decision of the Committee is:

**APPLICATION APPROVED AS AMENDED:**

To allow the construction of additions on the subject property proposing:

1. A gross floor area of 381.15sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 318.95sq.m in this instance;
2. A rear yard of 2.87m whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m in this instance;
3. A rear yard measured to a balcony of 1.89m whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a balcony of 6.50m in this instance; and

Committee Decision dated at the City of Mississauga on September 19, 2019.

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

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TREASURER

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **October 9, 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 **DAVID & ALISON WRIGHT** for the property located at **1458 WOODEDEN DRIVE**.  
Date of Hearing on Thursday September 12, 2019  
Date Decision Signed by the Committee September 19, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:24p.m.

### **APPLICATION DETAILS**

The applicant requests the Committee to approve a minor variance to allow a gross floor area - infill residential of 550.00sq.m (approx. 5920.15sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 523.08sq.m (approx. 5630.39ft) in this instance.

G. Cordova, 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 September 4, 2019)
- City of Mississauga, Transportation and Works Department (dated August 30, 2019)
- Region of Peel (dated August 29, 2019)

### **CORRESPONDENCE & DISCUSSION**

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

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

### **DECISION**

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

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

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

The Decision of the Committee is:

**APPLICATION APPROVED:**

To allow a gross floor area - infill residential of 550.00sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 523.08sq.m in this instance.

Committee Decision dated at the City of Mississauga on September 19, 2019.

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

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **October 9, 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 **AMACON DEVELOPMENT (CITY CENTRE) CORP** for the property located at  
**4055 & 4085 PARKSIDE VILLAGE DRIVE.**

Date of Hearing on Thursday September 12, 2019  
Date Decision Signed by the Committee September 19, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:27p.m.

### **APPLICATION DETAILS**

The applicant requests the Committee to approve a minor variance to allow certain parking spaces (at grade, above grade, and below grade) to exist proposing:

1. A minimum drive aisle width of 6.00m (approx. 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m (approx. 22.97ft) in this instance;
2. A minimum parking space depth of 4.49 (approx. 14.73ft) whereas By-law 0225-2207, as amended, requires a minimum parking space length of 5.20m (approx. 17.06ft) in this instance;
3. A minimum parking space width of 2.38 (approx. 7.81ft) whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m (approx. 8.53ft) in this instance; and
4. No turning bay for Unit 57, whereas By-law 0225-2007, as amended, requires a turning bay in this instance.

D. Hunwicks, 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 September 3, 2019)
- City of Mississauga, Transportation and Works Department (dated August 30, 2019)
- Region of Peel (dated August 29, 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 if residents would be aware that they may be assigned a smaller parking space

R. Vertolli from the Planning and Building Department indicated that variance number 4 would not be required.

## **DECISION**

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

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

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

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

The Decision of the Committee is:

**APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITION(S):**

To allow certain parking spaces (at grade, above grade, and below grade) to exist proposing:

1. A minimum drive aisle width of 6.00m whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m in this instance;
2. A minimum parking space depth of 4.49 whereas By-law 0225-2207, as amended, requires a minimum parking space length of 5.20m in this instance; and
3. A minimum parking space width of 2.38 whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m in this instance;

**CONDITIONS:**

1. The applicant shall include in the Declaration a warning clause for each parking space that is substandard in size indicating the size deficiency and shall notify all owners and/or purchasers affected by the reduced size of each parking space.

Committee Decision dated at the City of Mississauga on September 19, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<b>ABSENT</b> 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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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 9, 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 **SUZY KALUTI** for the property located at **458 MEADOW WOOD ROAD**.  
Date of Hearing on Thursday September 12, 2019  
Date Decision Signed by the Committee September 19, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:32p.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 a gross floor area - infill residential of 648.55sq.m (approx. 6,980.93sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 617.24sq.m (approx. 6,643.92sq.ft) in this instance.

D. Dewsbury, 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 September 4, 2019)
- City of Mississauga, Transportation and Works Department (dated August 30, 2019)
- Region of Peel (dated August 29, 2019)

### **CORRESPONDENCE & DISCUSSION**

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from 1 area resident expressing objections regarding the subject application.

One area resident appeared before the Committee and objected to the application. Concerns included the compatibility with the neighbourhood and the size of the dwelling.

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

### **DECISION**

Committee has taken into consideration, on balance, any and all submissions made before its decision including 1 written submission and 1 oral submission. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

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

The Decision of the Committee is:

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

To allow the construction of an addition on the subject property proposing a gross floor area - infill residential of 648.55sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 617.24sq.m in this instance.

**TERMS:**

1. Screening shall be provided along the northwesterly side of the balcony.

**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 19, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<b>ABSENT</b> 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 9, 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 **LISGAR DEVELOPMENT INC IN TRUST** for the property located at  
**1680 LAKESHORE ROAD WEST.**

Date of Hearing on Thursday September 12, 2019  
Date Decision Signed by the Committee September 19, 2019

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:54p.m.

### **APPLICATION DETAILS**

The applicant requests the Committee to approve a minor variance to allow offices and a take-out restaurant in Unit 1 of the subject property proposing:

1. 107 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 120 parking spaces in this instance; and
2. A take-out restaurant to be located within 60m of a residential zone whereas By-law 0225-2007, as amended, requires that a restaurant not be located within 60m of a residential zone in this instance.

G. Gorchynski & L. Daly, agents, 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 September 4, 2019)
- City of Mississauga, Transportation and Works Department (dated August 30, 2019)
- Region of Peel (dated August 29, 2019)

### **CORRESPONDENCE & DISCUSSION**

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

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

### **DECISION**

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

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

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

The Decision of the Committee is:

**APPLICATION APPROVED:**

To allow offices and a take-out restaurant in Unit 1 of the subject property proposing:

1. 107 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 120 parking spaces in this instance; and
2. A take-out restaurant to be located within 60m of a residential zone whereas By-law 0225-2007, as amended, requires that a restaurant not be located within 60m of a residential zone in this instance.

Committee Decision dated at the City of Mississauga on September 19, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<b>ABSENT</b> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<b>ABSENT</b> 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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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 9, 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.