

# COMMITTEE OF ADJUSTMENT RESULTS



**Location: COUNCIL CHAMBER**

**Hearing: SEPTEMBER 26, 2019 AT 1:30 P.M.**

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

## **NEW APPLICATIONS - (CONSENT)**

B-59/19 A-380/19 A-381/19	RYAN, MATTHEW, & MARCIE TAVARES	1158 NORTHMOUNT AVE	1	Approved (AC)
				Approved
				Approved

## **NEW APPLICATIONS - (MINOR VARIANCE)**

A-374/19	MAI THI LIEN	3439 JOAN DR	7	Approved (AC)
A-375/19	SIDHU SUKHJINDER, BENIWAL NAVPREET, & SIDHU RAJINDER	38 SLEDMAN ST	5	D (Nov 28)
A-376/19	DIORENZO STEVEN DEAN & DIORENZO CHIARA MARIA	182 BRIARHILL DR	1	Approved (AA, ACP)
A-378/19	DRAGOMIR & ELENA STOJKOVIC	1088 ORCHARD RD	1	Approved
A-379/19	IFTAKAR KALYANI	1804 BALSAM AVE	2	D (Dec12)
A-382/19	1210437 ONTARIO LTD	7222 TORBRAM RD	5	Approved (AA)

## **DEFERRED APPLICATIONS - (MINOR VARIANCE)**

A-349/18	SUDERSHAN & KANTA DULAT	472 BRIGGS CRT	11	Withdrawn
A-18/19	ELKHATIB ABDELKERIM & EKAILAH FATIMA	4747 YARMAROK CRT	4	Approved (AA, ACP)
A-214/19	SAMIRA BOTTIGLIERI	7063 BLACK WALNUT TR	10	Approved (AC, ACP)
A-289/19	RUO ZHAO WEI	3480 JOAN DR	7	D (Nov 28)

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 **RYAN, MATTHEW & MARCIE TAVARES** for the property located at  
**1158 NORTHMOUNT AVE.**

Date of Hearing on Thursday September 26, 2019  
Date Decision Signed by the Committee October 3, 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 has a frontage of approximately 11.09m (approx. 36.38ft) and an area of approximately 490.2sq.m (approx. 5276.46sq.ft).

S. Qi, agent, attended and presented evidence and comment in support of the application. The Applicant agreed with the conditions requested by city and agency staff.

### **COMMENTS**

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated September 13, 2019)
- City of Mississauga, Transportation and Works Department (dated September 13, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated September 12, 2019)
- Region of Peel (dated September 4, 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 regarding the variances and the existing driveway and walkway conditions.

### **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: D. George      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 has a frontage of approximately 11.09m and an area of approximately 490.2sq.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	<u>"D. KENNEDY"</u> 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 19, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-  
TREASURER

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

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

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

Date of Mailing: October 7, 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 27, 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 **October 7, 2020**.

See "SUMMARY OF APPEAL PROCEDURES" and "FULFILLING CONDITIONS & CERTIFICATE ISSUANCE" attached.

Appendix A – Conditions of Provisional Consent

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

## Appendix A – Conditions of Provisional Consent

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A"380/19 & "A"381/19)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated September 13, 2019.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated September 12, 2019.

### Lot Creation

- a. The variance application(s) approved under File(s) A380/19 & A381/19 must be finalized.

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 13, 2019

**RE:** **Applicant:** Ryan, Matthew and Marcie Tavares  
**Date of Hearing:** September 26, 2019  
**Address:** 1158 Northmount Avenue  
**Our File:** 'B' 59/19 Ward 1 (Z-6)

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

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

1. Overall Grading and Drainage Plan

The applicant's consulting engineer will be required to prepare an Overall Grading and Drainage Plan for the proposed new lot 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.

2. 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 address for the 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)

3. Lift 0.3m Reserve on West Shore Drive

The applicant will be required to make the appropriate arrangements for the lifting the 0.30 meter reserve across the width of the proposed access onto West Shore Drive. A copy of the application form can be found online as follows:  
<http://www7.mississauga.ca/documents/tw/pdfs/Application%20to%20Lift%201%20foot%20reserve.pdf>. Confirmation of these arrangements will need to be forwarded to this Department.

**B. GENERAL INFORMATION**

1. Lot Grading and Drainage

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

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

2. Servicing

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

3. Access

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

4. Storm Sewer Outlet

The storm sewer outlet for the proposed lot is the existing 525mm Dia. Storm sewer located on West Shore Drive.

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

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

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

DATE: September 12, 2019

FILE: "B" 59/19

SUBJECT: CONSENT APPLICATION  
1158 NORTHMOUNT AVENUE  
RYAN, MATTHEW, & MARCIE TAVARES  
WARD 1  
SEPTEMBER 26, 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 \$574.50 for planting of one (1) street tree on West Shore Drive. 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 including tree securities 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 45(1) OR (2) of The Planning Act R.S.O. 1990, c.P.13, as amended.  
Application by **RYAN, MATTHEW, & MARCIE TAVARES** for the property located at  
**1158 NORTHMOUNT AVENUE**

Date of Hearing on Thursday September 26, 2019  
Date Decision Signed by the Committee October 3, 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 Committee to approve a minor variance to allow the existing house to remain on the Retained lands of Consent application B59/19 proposing:

1. A lot frontage of 11.12m (approx. 36.48ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 12.00m (approx. 39.37ft) in this instance;
2. A driveway setback (northerly) to a lot line of 0.00m whereas By-law 0225-2007, as amended, requires a minimum driveway setback to a lot line of 0.60m (approx. 1.97ft) in this instance;
3. A driveway width of 4.94m (approx. 16.21ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.74m (approx. 15.55ft) in this instance; and
4. A walkway attachment of 1.81m (approx. 5.94ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.50m (approx. 4.92ft) in this instance.

S. Qi, 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 13, 2019)
- City of Mississauga, Transportation and Works Department (dated September 13, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated September 12, 2019)
- Region of Peel (dated September 4, 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 regarding the variances and the existing driveway and walkway conditions.



**DECISION**

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

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

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

The Decision of the Committee is:

**APPLICATION APPROVED:**

To allow the existing house to remain on the Retained lands of Consent application B59/19 proposing:

1. A lot frontage of 11.12m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 12.00m in this instance;
2. A driveway setback (northerly) to a lot line of 0.00m whereas By-law 0225-2007, as amended, requires a minimum driveway setback to a lot line of 0.60m in this instance;
3. A driveway width of 4.94m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.74m in this instance; and
4. A walkway attachment of 1.81m whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.50m in this instance.

Committee Decision dated at the City of Mississauga on October 3, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
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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 23, 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 **RYAN, MATTHEW, & MARCIE TAVARES** for the property located at  
**1158 NORTHMOUNT AVENUE**

Date of Hearing on Thursday September 26, 2019  
Date Decision Signed by the Committee October 3, 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 Committee to approve a minor variance to allow the creation of a new lot, being the Severed lands of Consent application B59/19, proposing a lot frontage of 11.08m (approx. 36.35ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 12.00m (approx. 39.37ft) in this instance.

S. Qi, 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 13, 2019)
- City of Mississauga, Transportation and Works Department (dated September 13, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated September 12, 2019)
- Region of Peel (dated September 4, 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 regarding the variances and the existing driveway and walkway conditions.

### **DECISION**

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

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

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

The Decision of the Committee is:

**APPLICATION APPROVED:**

To allow the creation of a new lot, being the Severed lands of Consent application B59/19, proposing a lot frontage of 11.08m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 12.00m in this instance.

Committee Decision dated at the City of Mississauga on October 3, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> 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 October 3, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-  
TREASURER

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **October 23, 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 **MAI THI LIEN** for the property located at **3439 JOAN DRIVE**.

Date of Hearing on Thursday September 26, 2019  
Date Decision Signed by the Committee October 3, 2019

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

No Member declared a pecuniary interest for this application.

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

### **APPLICATION DETAILS**

The applicant requests the Committee to approve a minor variance to allow a new driveway configuration proposing:

1. A circular driveway on a lot with an 18.29m (approx. 60.00ft) frontage whereas By-law 0225-2007, as amended, does not permit a circular driveway on a lot with a frontage of less than 22.50m (approx. 73.82ft) in this instance;
2. A driveway width of 8.00m (approx. 26.25ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance; and
3. A walkway attachment of 1.93m (approx. 6.33ft) whereas By-law, 0225-2007, as amended, permits a walkway attachment of 1.50m (approx. 4.92ft) in this instance.

R. Kossak, 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 17, 2019)
- City of Mississauga, Transportation and Works Department (dated September 13, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated September 12, 2019)
- Region of Peel (dated September 4, 2019)

### **CORRESPONDENCE & DISCUSSION**

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

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

### **DECISION**

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

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

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

The Decision of the Committee is:

**APPLICATION APPROVED SUBJECT TO TERM(S) AND/OR CONDITION(S):**

To allow a new driveway configuration proposing:

1. A circular driveway on a lot with an 18.29m frontage whereas By-law 0225-2007, as amended, does not permit a circular driveway on a lot with a frontage of less than 22.50m in this instance;
2. A driveway width of 8.00m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m in this instance; and
3. A walkway attachment of 1.93m whereas By-law, 0225-2007, as amended, permits a walkway attachment of 1.50m in this instance.

**CONDITION(S):**

1. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated September 12, 2019.

Committee Decision dated at the City of Mississauga on October 3, 2019.

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

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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 23, 2019**.

**NOTES:**

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

Decision of the Mississauga Committee of Adjustment under  
Section 45(1) OR (2) of The Planning Act R.S.O. 1990, c.P.13, as amended.  
Application by **STEVEN DILORENZO & CHIARA DILORENZO** for the property located at  
**182 BRIARHILL DRIVE.**

Date of Hearing on Thursday September 26, 2019  
Date Decision Signed by the Committee October 3, 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 1:51p.m.

### **APPLICATION DETAILS**

The applicant requests the Committee to approve a minor variance to allow additions to the existing dwelling proposing:

1. A combined side yard width of 4.24m (approx. 13.91ft) whereas By-law 0225-2007, as amended, requires a minimum side yard width of 7.41m (approx. 24.31ft) in this instance;
2. Two (2) accessory structures whereas By-law 0225-2007, as amended, permits a maximum of one (1) accessory structure in this instance;
3. An area of an accessory structure (fireplace) of 10.49sq.m (approx. 112.91sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 10.00sq.m (approx. 107.64ft) in this instance; and
4. A height of an accessory structure of 3.02m (approx. 9.91ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m (approx. 9.84ft) in this instance.

A. Beaumont, agent, attended and presented evidence and comment in support of the application. The applicant requested that the application be amended and Committee agreed to the request.

### **COMMENTS**

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated September 13, 2019)
- City of Mississauga, Transportation and Works Department (dated September 13, 2019)
- Region of Peel (dated September 4, 2019)

### **CORRESPONDENCE & DISCUSSION**

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

1 area resident appeared before the Committee and expressed concerns regarding the application. Concerns included the proposed side yard setback and privacy.

Committee asked questions of the agent who appeared before the Committee regarding the proposed amendments.

**DECISION**

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



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

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

The Decision of the Committee is:

**APPLICATION APPROVED AS AMENDED SUBJECT TO TERM(S) AND/OR CONDITION(S):**

The applicant requests the Committee to approve a minor variance to allow additions to the existing dwelling proposing a combined side yard width of 15% of the lot frontage (4.24m) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 27% of the lot frontage (7.41m) in this instance.

**CONDITION(S):**

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 October 3, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> 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 October 3, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-  
TREASURER

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or email

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

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **October 23, 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 **DRAGOMIR & ELENA STOJKOVIC** for the property located at  
**1088 ORCHARD ROAD.**

Date of Hearing on Thursday September 26, 2019  
Date Decision Signed by the Committee October 3, 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 2:11p.m.

### **APPLICATION DETAILS**

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

1. A side yard (northerly) of 1.44m (approx. 4.72ft) whereas By-law 0225-2007 as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
2. A building height measured to the eaves of 6.88m (approx. 22.57ft) whereas By-law 0225-2007 as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance; and
3. An eave encroachment into the required front yard of 0.79m (approx. 2.59ft) whereas By-law 0225-2007 as amended, permits a maximum eave encroachment into the required front yard of 0.45m (approx. 1.48m) in this instance.

T. Pejovic, 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 13, 2019)
- City of Mississauga, Transportation and Works Department (dated September 13, 2019)
- Region of Peel (dated September 4, 2019)

### **CORRESPONDENCE & DISCUSSION**

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

### **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. Kennedy      CARRIED

The Decision of the Committee is:

**APPLICATION APPROVED:**

To allow the construction of a two storey dwelling proposing:

1. A side yard (northerly) of 1.44m whereas By-law 0225-2007 as amended, requires a minimum side yard of 1.81m in this instance;
2. A building height measured to the eaves of 6.88m whereas By-law 0225-2007 as amended, permits a maximum building height measured to the eaves of 6.40m in this instance; and
3. An eave encroachment into the required front yard of 0.79m whereas By-law 0225-2007 as amended, permits a maximum eave encroachment into the required front yard of 0.45m in this instance.

Committee Decision dated at the City of Mississauga on October 3, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> 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 October 3, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-  
TREASURER

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or email

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

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **October 23, 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 **1210437 ONTARIO LTD** for the property located at **7222 TORBRAM ROAD**.  
Date of Hearing on Thursday September 26, 2019  
Date Decision Signed by the Committee October 3, 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 2:16p.m.

### **APPLICATION DETAILS**

The applicant requests the Committee to approve a minor variance to allow an agricultural use in Unit 15 of the subject property whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

J. Dzamba, agent, attended and presented evidence and comment in support of the application. He indicated that the facility was already operating within the plaza and was looking to expand. He also indicated that a large portion of the parking requirement was caused due to a nightclub operating in the plaza.

### **COMMENTS**

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated September 17, 2019)
- City of Mississauga, Transportation and Works Department (dated September 13, 2019)
- Region of Peel (dated September 4, 2019)

### **CORRESPONDENCE & DISCUSSION**

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

Committee asked questions of the agent who appeared before the Committee regarding the scale of the operation and the parking requirements.

### **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: D. Kennedy      CARRIED

The Decision of the Committee is:

**APPLICATION APPROVED AS AMENDED:**

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

1. An agricultural use in Unit 15 of the subject property whereas By-law 0225-2007, as amended, does not permit such a use in this instance; and
2. 96 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 171 parking spaces in this instance.

Committee Decision dated at the City of Mississauga on October 3, 2019.

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

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"S. KENNEY"

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 23, 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 **ELKHATIB ABDELKERIM & EKAILAH FATIMA** for the property located at  
**4747 YARMAROK COURT.**

Date of Hearing on Thursday September 26, 2019  
Date Decision Signed by the Committee October 3, 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 2:25p.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 8.47m (approx. 27.79ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance.

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

### **BACKGROUND**

On January 24, 2019, E. Abdelkerim, co-owner of the property, attended and requested to defer the application to address staff concerns.

Committee consented to the request and deferred the application to the May 23<sup>rd</sup>, 2019 hearing date.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated January 18, 2019)
- City of Mississauga, Transportation and Works Department (dated January 11, 2019)
- Region of Peel (dated January 18, 2019)

On May 23, 2019, E. Abdelkerim, co-owner of the property, attended and requested to defer the application to address staff concerns.

Committee consented to the request and deferred the application to the September 26<sup>th</sup>, 2019 hearing date.

Comments were received and entered into evidence from the following:

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

## **COMMENTS**

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated September 13/17, 2019)
- City of Mississauga, Transportation and Works Department (dated September 13, 2019)
- Region of Peel (dated September 4, 2019)
- The Ministry of Transportation (dated August 29, 2019)

## **CORRESPONDENCE & DISCUSSION**

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

Committee asked questions of the agent who appeared before the Committee regarding planters and consultations with planning.

## **DECISION**

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

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

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

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

The Decision of the Committee is:

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

To allow the existing driveway to remain proposing:

1. A driveway width of 8.47m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m in this instance; and
2. A driveway setback measured from the property line of 0.30m whereas By-law 0225-2007, as amended, requires a minimum driveway setback measured from the property line of 0.60m 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 October 3, 2019.

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

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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 23, 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 **SAMIRA BOTTIGLIERI** for the property located at **7063 BLACK WALNUT TRAIL**.  
Date of Hearing on Thursday September 26, 2019  
Date Decision Signed by the Committee October 3, 2019

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

No Member declared a pecuniary interest for this application.

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

### **APPLICATION DETAILS**

The applicant requests the Committee to approve a minor variance to allow the existing driveway to remain proposing a driveway width of 6.20m (approx. 20.34ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.20m (approx. 17.06ft) in this instance.

D. Bottiglieri, agent, attended and presented evidence and comment in support of the application.

### **BACKGROUND**

On June 13, 2019, D. Bottiglieri, agent, attended and requested to defer the application to address staff concerns.

Committee consented to the request and deferred the application to the September 26<sup>th</sup>, 2019 hearing date.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated June 3, 2019)
- City of Mississauga, Transportation and Works Department (dated June 13, 2019)
- Region of Peel (dated June 5, 2019)
- A petition of support was received signed by 53 area residents.

### **COMMENTS**

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated September 17, 2019)
- City of Mississauga, Transportation and Works Department (dated September 13, 2019)
- Region of Peel (dated September 4, 2019)

## **CORRESPONDENCE & DISCUSSION**

The Secretary – Treasurer noted the comments received from:

- A memorandum was received from Ward Councillor McFadden expressing no objections regarding the subject application. She requested the Committee to approve the subject application.

Committee asked questions of the agent who appeared before the Committee and made comments regarding comparable driveway widths in the area.

## **DECISION**

Committee has taken into consideration, on balance, any and all submissions made before its decision including 1 written submission and 1 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: D. Kennedy      CARRIED

The Decision of the Committee is:

**APPLICATION APPROVED SUBJECT TO TERM(S) AND/OR CONDITION(S):**

To allow the existing driveway to remain proposing a driveway width of 6.20m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.20m in this instance.

**TERM(S):**

1. The gravel shown on the Site Plan shall be replaced with sod no later than June 30, 2020.

**CONDITION(S):**

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 October 3, 2019.

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

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**NOTES:**

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2. Further approvals from the City of Mississauga may be required i.e. a Building Permit, a Zoning Certificate, a License, etc.