

COMMITTEE OF ADJUSTMENT RESULTS



Location: COUNCIL CHAMBER
Hearing: OCTOBER 10, 2019 AT 1:30 P.M.

File	Name of Applicant	Location of Land	Ward	Decision
------	-------------------	------------------	------	----------

| AA = Approved as Amended | ACP= Condition Plan | AC= Approved on Condition | AT = Approved Temporarily | D = Deferred |
AIP=Approved in Part

NEW APPLICATIONS - (CONSENT)

B-060/19	GAMAL BASTA	5198 DURIE RD	6	Approved (AC)
B-061/19 A-392/19	CAMCENTRE HOLDINGS INC	151 CITY CENTRE DR	4	Deferred (Dec 12)

NEW APPLICATIONS - (MINOR VARIANCE)

A-388/19	2508132 ONTARIO INC	259 LAKESHORE RD E	1	Approved (AA)
A-389/19	STEVE AGOSTINO	1480 BRITANNIA RD W- UNIT 142	6	Approved
A-390/19	1371048 ONTARIO INC	350 BURNHAMTHORPE RD E- UNIT 7	4	Approved (AA)
A-391/19	GOLDEN TOWN COMPANY LIMITED	469 HENSALL CIR- UNIT 3	7	Approved
A-393/19	KANDAHAR BAZAAR	2275 BRITANNIA RD W- UNITS 19 & 20	11	Approved
A-394/19	SHANGHAI TASTE LTD	3065-3075 RIDGEWAY DR- UNIT 30	8	Approved

DEFERRED APPLICATIONS - (MINOR VARIANCE)

A-243/19	SRDJANA & MILIVOJE GRABOVICA	1534 LORNE WOOD RD	2	Approved (AC, AA)
A-268/19	835702 ONTARIO LTD	265 COURTNEYPARK DR E	5	Approved
A-269/19	1234778 ONTARIO INC.	299 COURTNEYPARK DR E	5	Approved
A-317/19	MIKHAIL BOUTENKO & SUTLANA BUTENKO	526 SILVER CREEK BLVD	4	Approved (AC, AA)
A-330/19	JING PAN	594 CURZON AVE	1	Approved
A-338/19	1666426 ONTARIO INC	914 BURNHAMTHORPE RD W	6	Approved (AC)
A-339/19	2184698 ONTARIO INC	5086 CREDITVIEW RD	6	Deferred (Dec 12)

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 **GAMAL BASTA** for the property located at **5198 DURIE ROAD**.
Date of Hearing on Thursday [October 10, 2019]
Date Decision Signed by the Committee [October 17, 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 1:34p.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 18.18m (59.65ft) and an area of approximately 950.70sq.m (10,233.25sq.ft).

G. Basta, the property owner, attended and presented evidence and comment in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated October 1, 2019)
- City of Mississauga, Transportation and Works Department (dated September 27, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated October 10, 2019)
- City of Mississauga, Community Services Department, Park Planning (dated September 26, 2019)
- Region of Peel (dated October 4, 2019)
- Credit Valley Conservation (dated October 3, 2019)
- Bell Canada, Right-of-Way (dated September 6, 2019)

CORRESPONDENCE & DISCUSSION

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

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

The applicant asked Committee to amend and remove the condition requested by city and agency with regards to Cultural Division condition #5. The applicant agreed with the rest of the conditions.

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: S. Patrizio SECONDED BY: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

To sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 18.18m and an area of approximately 950.70sq.m.

Committee Decision dated at the City of Mississauga on [October 17, 2019.]

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE (VICE CHAIR)	<u>ABSENT</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 17, 2019.]

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

For a signed copy of this document

please call 905-615-3200 ext. 2408

or email

Committee.Adjustment@mississauga.ca

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

Date of Mailing: [October 21, 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 **November 10, 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 21, 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 27, 2019.
5. 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 September 26, 2019.

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

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: September 27, 2019

RE: **Applicant:** Gamal Basta
Date of Hearing: October 10, 2019
Location: 5198 Durie Road
Our File: 'B' 60/19, Ward 6 (Z-38W)

This department has no objections to the applicant's request to create a new lot. We note that the subject property, identified as Lot #1, Plan 43M-713 was the subject of a Plan of Subdivision approved in May 1986. Through the processing of the Plan of Subdivision a number of detailed Transportation and Works Department requirements pertaining to servicing, grading and drainage, greenbelt dedications, acoustical requirements, etc. were addressed. It should also be noted that subdivision warning clauses specific to this property pertaining to the Canadian Pacific Railway Lands, Kraft Foods (Arden Mills 27 Reid Drive) and ADM Milling Company (1770 Barbertown Road), previously known as the Reid Milling operation located on the west side of the credit river, acoustical requirements, swimming pool and greenbelt restrictions are currently registered against title of the subject property (Under Schedule "D" of the Financial/Subdivision Warning Clauses Agreement).

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

A. Items Required Prior to the Issuance of Final Consent

1. 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. It should also be noted that any drainage is to be directed towards Durie Road and not towards the valley lands to the rear.

2. Geotechnical Report

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

We note that GHD Limited was engaged by the applicant to determine the Long Term Stable Top of Slope Line (LTSTS) of the subject property. Acknowledging that the conclusions and recommendations indicated that no significant slope degradation or stability issues were identified in the study for the existing slope along the northern river valley slope, we require confirmation from the CVC that they are satisfied with the report.

3. Site Servicing Plan Depicting Servicing Locations

A Site Servicing Plan is to be submitted for our review/approval which would clearly show the location of the existing or proposed site servicing connection locations in order that we can determine whether any easements are required.

4. Required Easement

Upon the review of Item A3 and the confirmation of the required easement, the applicant/owner will be required to provide a letter or schedule prepared by the applicant's Solicitor which would specifically describe the new private storm water easement to be established through this Consent Application. It should also be noted that any documentation received will be forwarded as an attachment to our clearance memo to the Committee of Adjustment so that any new proposed private easement can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

5. 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

B. GENERAL INFORMATION

1. Servicing

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

2. Access

We advise the applicant that all costs incurred in providing any new driveway entrance or any modifications/reinstatement required, would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees.

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

3. Lot Grading and Drainage

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

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

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

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

DATE: September 26, 2019
FILE: "B" 60/19
SUBJECT: CONSENT APPLICATION
5198 DURIE ROAD
GAMAL BASTA
WARD 6
OCTOBER 10, 2019 PUBLIC HEARING OF THE COMMITTEE OF ADJUSTMENT

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

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

- Norway Maple – Good Condition, and Autumn Blaze Maple – Good Condition

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 ensure that future driveways do not impact or require the removal of the above noted trees.
2. The applicant shall provide a cash contribution of \$1,723.50 for planting of three (3) street trees on Durie 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.
3. The applicant shall provide tree protection securities in the amount of \$4,750.00 for the above noted trees.
4. The applicant shall provide frame tree hoarding at the dripline of the above noted trees to the satisfaction of City of Mississauga Forestry Staff. Please call Ryan Cormier at 905-615-3200 ext. 4580 to arrange a hoarding inspection.

In addition, Community Services notes the following:

1. 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 45(1) OR (2) of The Planning Act R.S.O. 1990, c.P.13, as amended.
Application by **2508132 ONTARIO INC** for the property located at **259 LAKESHORE ROAD EAST.**
Date of Hearing on Thursday October 10, 2019
Date Decision Signed by the Committee October 17, 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 1:40p.m.

APPLICATION DETAILS

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

1. 2 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 7 parking spaces in this instance;
2. An aisle width of 6.10m (approx. 20.011ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.96ft) in this instance; and
3. A take-out restaurant within the required separation distance to a Residential zone whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.00m (approx. 196.85ft) from a take-out restaurant to a Residential zone in this instance.

J. Le, 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 30, 2019)
- City of Mississauga, Transportation and Works Department (dated September 27, 2019)
- Region of Peel (dated October 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.

DECISION

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

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

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

1. 2 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 7 parking spaces in this instance;
2. To provide no drive aisle on site whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.0m in this instance.; and
3. A take-out restaurant within the required separation distance to a Residential zone whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.00m from a take-out restaurant to a Residential zone in this instance.

Committee Decision dated at the City of Mississauga on October 17, 2019.

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

I certify this is copy of the decision of the Committee's decision given on October 17, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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

or
email Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **November 6, 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 **STEVE AGOSTINO**
for the property located at **1480 BRITANNIA ROAD WEST UNIT 142.**

Date of Hearing on Thursday October 10, 2019

Date Decision Signed by the Committee October 17, 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 1:50p.m.

APPLICATION DETAILS

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

1. A balcony projection of 3.66m (approx. 12.01ft) from the rear wall of the dwelling whereas By-law 0225-2007, as amended, permits a maximum projection of 1.00m (approx. 3.28ft) in this instance; and
2. To permit the area beneath the proposed balcony to be included in the landscaped area whereas By-law 0225-2007, as amended, does not permit any open space beneath any building or structure or part thereof to be included in the landscaped area in this instance.

S. Agostino, owner, attended and presented evidence and comment in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated October 1, 2019)
- City of Mississauga, Transportation and Works Department (dated September 27, 2019)
- Region of Peel (dated October 4, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A memorandum was received from Ward Councillor Starr expressing support for the subject application.
- Correspondence was received from five area resident expressing support for 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 six written submissions. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

MOVED BY: S. Patrizio SECONDED BY: W. Shahrukh CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To approve a minor variance to allow the construction of a rear yard balcony on the subject property proposing:

1. A balcony projection of 3.66m from the rear wall of the dwelling whereas By-law 0225-2007, as amended, permits a maximum projection of 1.00m in this instance; and
2. To permit the area beneath the proposed balcony to be included in the landscaped area whereas By-law 0225-2007, as amended, does not permit any open space beneath any building or structure or part thereof to be included in the landscaped area in this instance.

Committee Decision dated at the City of Mississauga on October 17, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE (VICE CHAIR)	<u>ABSENT</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 17, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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

or

email Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **November 6, 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 **1371048 ONTARIO INC**
for the property located at **350 BURNHAMTHORPE ROAD EAST UNIT 7.**

Date of Hearing on Thursday October 10, 2019

Date Decision Signed by the Committee October 17, 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 2:01p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow a cycling fitness studio in Unit 7 proposing a recreational establishment use whereas By-law 0225-2007, as amended, does not permit this use in this instance.

J. Riddell, 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 October 1, 2019)
- City of Mississauga, Transportation and Works Department (dated September 27, 2019)
- Region of Peel (dated October 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.

DECISION

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

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

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

MOVED BY: D. Cook SECONDED BY: D. Kennedy CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

A recreational establishment use; whereas, By-law 0225-2207, as amended, does not permit such a use, in this instance.

Committee Decision dated at the City of Mississauga on October 17, 2019.

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

I certify this is copy of the decision of the Committee's decision given on October 17, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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

or

email Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **November 6, 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 **GOLDEN TOWN COMPANY LIMITED**
for the property located at **469 HENSALL CIRCLE.**

Date of Hearing on Thursday October 10, 2019

Date Decision Signed by the Committee October 17, 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 2:05p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to permit an automotive repair garage in unit 3 proposing an automotive repair use whereas By-law 0225-2007, as amended, does not permit an automotive repair use in this instance.

T. Hetherington, 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 October 1, 2019)
- City of Mississauga, Transportation and Works Department (dated September 27, 2019)
- Region of Peel (dated October 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.

DECISION

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED:

To approve a minor variance to permit an automotive repair garage in unit 3 proposing an automotive repair use whereas By-law 0225-2007, as amended, does not permit an automotive repair use in this instance.

Committee Decision dated at the City of Mississauga on October 17, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE (VICE CHAIR)	<u>ABSENT</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 17, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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

or
email Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **November 6, 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 **KANDAHAR BAZAAR**
for the property located at **2275 BRITANNIA ROAD WEST UNITS 19 & 20.**
Date of Hearing on Thursday October 10, 2019
Date Decision Signed by the Committee October 17, 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 operation of a restaurant within Units 19 & 20 of the subject property proposing 133 parking spaces for all uses on site whereas By-law 0225-2007, as amended, requires a minimum of 177 parking spaces for all uses on site.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated October 1, 2019)
- City of Mississauga, Transportation and Works Department (dated September 27, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated October 10, 2019)
- Region of Peel (dated October 4, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

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

DECISION

Committee has taken into consideration, on balance, any and all submissions made before its decision including one written 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: S. Patrizio SECONDED BY: W. Shahrukh CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the operation of a restaurant within Units 19 & 20 of the subject property proposing 133 parking spaces for all uses on site whereas By-law 0225-2007, as amended, requires a minimum of 177 parking spaces for all uses on site.

Committee Decision dated at the City of Mississauga on October 17, 2019.

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

I certify this is copy of the decision of the Committee's decision given on October 17, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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

or
email Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **November 6, 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 **SHANGHAI TASTE LTD**
for the property located at **3075 RIDGEWAY DRIVE UNIT 30.**

Date of Hearing on Thursday October 10, 2019

Date Decision Signed by the Committee October 17, 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 2:14p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the operation of a restaurant in Unit 30 of the subject property proposing 259 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 489 parking spaces in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated September 30, 2019)
- City of Mississauga, Transportation and Works Department (dated September 27, 2019)
- Region of Peel (dated October 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.

DECISION

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the operation of a restaurant in Unit 30 of the subject property proposing 259 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 489 parking spaces in this instance.

Committee Decision dated at the City of Mississauga on October 17, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE (VICE CHAIR)	<u>ABSENT</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 17, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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

or

email Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **November 6, 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 **SRDJANA & MILIVOJE GRABOVICA**
for the property located at **1534 LORNE WOOD ROAD.**

Date of Hearing on Thursday October 10, 2019

Date Decision Signed by the Committee October 17, 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 applicants request the Committee to approve a minor variance to allow the construction of an accessory structure on the subject property proposing:

1. A floor area of 27.39sq.m (approx. 294.82sq.ft) whereas By-law 0225-2007, as amended, permits a maximum floor area of 20.00sq.m (approx. 215.28sq.ft) in this instance;
2. A balcony projection on an accessory structure (play structure) whereas By-law 0225-2007, as amended, does not permit a balcony or deck on an accessory structure in this instance;
3. A rear yard of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 1.20m (approx. 3.93ft) in this instance; and
4. A height of 4.32m (approx. 14.17ft) to a flat roof whereas By-law 0225-2007, as amended, permits a maximum height of 3.50m (approx. 11.48ft) to a flat roof in this instance.

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

BACKGROUND

On June 20, 2019, B. Oughtred, agent, attended and presented evidence and comment in support of the application.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated June 11, 2019)
- City of Mississauga, Transportation and Works Department (dated June 7, 2019)
- Region of Peel (dated June 11, 2019)
- Letters of objection were received from two area residents.
- A petition of no objection was received through the agent signed by 9 area residents.

Committee asked questions of the agent who appeared before the Committee regarding privacy and mitigation of overlook conditions.

Committee asked questions of staff relating to provisions within the Zoning By-law.

Two area residents appeared before the Committee and expressed concerns regarding the subject application. Concerns included privacy, health of the tree, and property values.

The agent requested to defer the application to address neighbourhood concerns.

The Committee consented to the request and deferred the application to the August 22nd, 2019 hearing.

On August 22, 2019, the Committee deferred the application in order to ensure proper notice due to a new variance being identified. The Committee deferred the application to the October 10th, 2019 hearing date.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated August 14, 2019)
- City of Mississauga, Transportation and Works Department (dated August 9, 2019)
- Region of Peel (dated August 2, 2019)

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated September 30, 2019)
- City of Mississauga, Transportation and Works Department (dated September 27, 2019)
- Region of Peel (dated October 4, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from two area resident expressing objections to the subject application.

Two area residents appeared before the Committee and objected the application, citing privacy concerns.

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

The agent expressed the property owners willingness to plant additional trees on the property.

DECISION

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

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED SUBJECT TO TERMS AND CONDITIONS:

To allow the construction of an accessory structure on the subject property proposing:

1. A deck projection on an accessory structure (play structure) with a total area of approximately 8.30sq.m whereas By-law 0225-2007, as amended, does not permit a balcony or deck on an accessory structure in this instance;
2. A rear yard of 0.91m whereas By-law 0225-2007, as amended, requires a minimum rear yard of 1.20m in this instance; and
3. A height of 4.32m to a flat roof whereas By-law 0225-2007, as amended, permits a maximum height of 3.50m to a flat roof in this instance.

TERMS:

1. Vegetation along the southerly fence line must be established and maintained.

CONDITIONS:

1. Construction related to this variance shall be in general conformance with the site plan approved by the Committee.
2. Enter into a section 45 agreement if required regarding establishing and maintaining vegetation for screening purposes on the subject property.

Committee Decision dated at the City of Mississauga on October 17, 2019.

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

I certify this is copy of the decision of the Committee's decision given on October 17, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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

or

email Committee.Adjustment@mississauga.ca

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



File: "A" 243/19
WARD 2

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 **November 6, 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 **835702 ONTARIO LTD**
for the property located at **265 COURTNEYPARK DRIVE EAST.**

Date of Hearing on Thursday October 10, 2019

Date Decision Signed by the Committee October 17, 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 2:38p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the construction of a conveyor bridge on the subject property proposing an interior side yard of 0.00m (approx. 0.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 13.70m (approx. 44.95ft) in this instance.

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

BACKGROUND

On July 18, 2019, A. Szeto, agent, requested to defer the application to resolve issues with the site plan.

Committee consented to the request and deferred the application to the October 10, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated July 8, 2019)
- City of Mississauga, Transportation and Works Department (dated July 5, 2019)
- Region of Peel (dated June 28, 2019)

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated October 1, 2019)
- City of Mississauga, Transportation and Works Department (dated September 27, 2019)
- Region of Peel (dated October 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.

DECISION

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of a conveyor bridge on the subject property proposing an interior side yard of 0.00m whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 13.70m in this instance.

Committee Decision dated at the City of Mississauga on October 17, 2019.

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

I certify this is copy of the decision of the Committee's decision given on October 17, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

For a signed copy of this document

please call 905-615-3200 ext. 2408

or

email Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **November 6, 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 **1234778 ONTARIO INC.**

for the property located at **299 COURTNEYPARK DRIVE EAST.**

Date of Hearing on Thursday October 10, 2019

Date Decision Signed by the Committee October 17, 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 2:38p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the construction of a conveyor bridge on the subject property proposing an interior side yard of 0.00m (approx. 0.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 7.02m (approx. 23.03ft) in this instance.

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

BACKGROUND

On July 18, 2019, A. Szeto, agent, requested to defer the application to resolve issues with the site plan.

Committee consented to the request and deferred the application to the October 10, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated July 8, 2019)
- City of Mississauga, Transportation and Works Department (dated July 5, 2019)
- Region of Peel (dated June 28, 2019)

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated October 1, 2019)
- City of Mississauga, Transportation and Works Department (dated September 27, 2019)
- Region of Peel (dated October 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.

DECISION

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED:

to approve a minor variance to allow the construction of a conveyor bridge on the subject property proposing an interior side yard of 0.00m whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 7.02m in this instance.

Committee Decision dated at the City of Mississauga on October 17, 2019.

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

I certify this is copy of the decision of the Committee's decision given on October 17, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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

or
email Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **November 6, 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 **MIKHAIL BOUTENKO & SUTLANA BUTENKO**
for the property located at **526 SILVER CREEK BOULEVARD.**

Date of Hearing on Thursday October 10, 2019

Date Decision Signed by the Committee October 17, 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 2:41p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow a widened driveway on the subject property proposing;

1. A driveway width of 11.00m (approx. 36.09ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
2. A walkway attachment of 7.00m (approx. 22.97ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.50m (approx. 4.92ft) in this instance.

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

BACKGROUND

On August 15, 2019, N. Dell, agent, attended and requested to defer the application to meet with staff.

The Committee consented to the request and deferred the application to the October 10th, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated August 5, 2019)
- City of Mississauga, Transportation and Works Department (dated August 15, 2019)
- Region of Peel (dated July 24, 2019)
- A letter of objection was received from one area resident.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated October 10, 2019)
- City of Mississauga, Transportation and Works Department (dated September 27, 2019)
- Region of Peel (dated October 4, 2019)

CORRESPONDENCE & DISCUSSION

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

The Secretary – Treasurer noted the comments received from:

- A petition of no objection was received through the applicant.

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

DECISION

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

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITIONS:

A driveway width of 8.57m; whereas, By-law 0225-2007, as amended, requires a maximum driveway of 6.0m, 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 17, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE (VICE CHAIR)	<u>ABSENT</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 17, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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

or

email Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **November 6, 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 **JING PAN** for the property located at **594 CURZON AVENUE**.

Date of Hearing on Thursday October 10, 2019

Date Decision Signed by the Committee October 17, 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 2:51p.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 lot coverage of 36.30% 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 7.67m (approx. 25.16ft) whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.60ft) in this instance; and
3. A front yard of 6.80m (approx. 22.31ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.60ft) in this instance.

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

BACKGROUND

On August 22, 2019, K. Khadra, agent, attended and requested to defer the application to address staff concerns.

The Committee consented to the request and deferred the application to the October 10th, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated 14, 2019)
- City of Mississauga, Transportation and Works Department (dated August 9, 2019)
- Region of Peel (dated August 2, 2019)

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated September 30, 2019)
- City of Mississauga, Transportation and Works Department (dated September 27, 2019)
- Region of Peel (dated October 4, 2019)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

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

DECISION

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

The Decision of the Committee is:

APPLICATION APPROVED:

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

1. A lot coverage of 36.30% 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 7.67m whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m in this instance; and
3. A front yard of 6.80m whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m in this instance.

Committee Decision dated at the City of Mississauga on October 17, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE (VICE CHAIR)	<u>ABSENT</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 17, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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

or

email Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **November 6, 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 **1666426 ONTARIO INC**
for the property located at **914 BURNHAMTHORPE ROAD WEST.**

Date of Hearing on Thursday October 10, 2019

Date Decision Signed by the Committee October 17, 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 2:57p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the existing physiotherapy clinic/office to remain on the subject property proposing:

1. 20 parking spaces (14 on site and 6 off site) for the uses currently on site whereas By-law 0225-2007, as amended, requires a minimum of 47 parking spaces in this instance;
2. 1 accessible parking space whereas By-law 0225-2007, as amended, requires a minimum of 2 accessible parking spaces in this instance;
3. No access aisle for an accessible parking space whereas By-law 0225-2007, as amended, requires a 1.50m (approx. 4.92ft) access aisle for an accessible parking space in this instance;
4. An aisle width of 4.60m (approx. 15.09ft) to access the 6 off-site parking spaces whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.96ft) in this instance; and
5. A driveway width of 2.56m (approx. 8.40ft) on the east side whereas By-law 0225-2007, as amended, requires a minimum driveway width of 2.60m (approx. 8.53ft) in this instance.

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

BACKGROUND

On August 22, 2019, L. Starr-Colthurst requested deferral to allow staff to review a parking study.

Committee consented to the request and deferred the application to the October 10th, 2019 hearing.

The Secretary – Treasurer noted the comments received from:

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated October 1, 2019)
- City of Mississauga, Transportation and Works Department (dated September 27, 2019)
- Region of Peel (dated October 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.

DECISION

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

Committee has taken into consideration, on balance, any and all submissions made before its decision including ## written submissions, ## oral submissions and ## 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: D. George SECONDED BY: S. Patrizio CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITIONS:

To allow the existing physiotherapy clinic/office to remain on the subject property proposing:

1. 20 parking spaces (14 on site and 6 off site) for the uses currently on site whereas By-law 0225-2007, as amended, requires a minimum of 47 parking spaces in this instance;
2. 1 accessible parking space whereas By-law 0225-2007, as amended, requires a minimum of 2 accessible parking spaces in this instance;
3. No access aisle for an accessible parking space whereas By-law 0225-2007, as amended, requires a 1.50m access aisle for an accessible parking space in this instance;
4. An aisle width of 4.60m to access the 6 off-site parking spaces whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m in this instance; and
5. A driveway width of 2.56m on the east side whereas By-law 0225-2007, as amended, requires a minimum driveway width of 2.60m in this instance.

CONDITION(S):

1. To the satisfaction of Planning and Building and Committee of Adjustment Office, the applicant shall provide a Shared Parking Agreement for six spaces.
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 October 17, 2019.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE (VICE CHAIR)	<u>ABSENT</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 17, 2019.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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

email Committee.Adjustment@mississauga.ca

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



File: "A" 338/19
WARD 6

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 **November 6, 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.