

**COMMITTEE OF ADJUSTMENT
RESULTS**



Location: COUNCIL CHAMBER
Hearing: JANUARY 30, 2020 AT 1:30 P.M.

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

MOTIONS

B43/18 (1262 Queen Victoria Ave) – Motion to pull this item off the February 20th hearing date until further notice, to allow the applicant to deal with outstanding legal matters.

NEW APPLICATIONS - (CONSENT)

None

DEFERRED APPLICATIONS - (CONSENT)

B-061/19 A-392/19	CAMCENTRE HOLDINGS INC	151 CITY CENTRE DR	4	Withdrawn Approved (AA)
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NEW APPLICATIONS - (MINOR VARIANCE)

A-28/20 A-29/20	ALIZ HOLDINGS INC CANAIM ESTATE CORP	140 CAPITAL CRT 150 CAPITAL CRT	5	Deferred (Apr 16)
A-30/20	CHARANJIT SINGH SIDHU & SARBJIT KAUR SIDHU	3269 MICHAUD AVE	5	Approved
A-31/20	TED PHILCHUK & SEANNA KING	18 MINNEWAWA RD	1	Approved
A-33/20	SOLMAR (EDGE) CORP	36 ELM DR W	7	Approved
A-34/20	SOLMAR (EDGE 2) CORP	30 ELM DR W	7	Approved
A-35/20	MATTANDY HOLDING INC	1842 LAKESHORE RD W	2	Approved
A-36/20	SANDHU GURMAIL & GOBINDO	11 KNASEBORO ST	5	Approved (ACP)
A-37/20	ARTUR & STANISLAWA GAJ	1560 NORTHMOUNT AVE	1	Approved (AA, AC)
A-38/20	GOLDSTAR PLAZA LTD	60 DUNDAS ST E	7	Deferred (TBD)
A-39/20	2537707 ONTARIO INC	100 EMBY DR	11	Approved (AT)
A-40/20	ARVINDER, HARDEV, & JASKARAN DHALIWAL	18 ARCH RD	11	Approved (ACP)

DEFERRED APPLICATIONS - (MINOR VARIANCE)

A-303/19	2688616 ONTARIO INC.	376 REVUS AVE	1	Deferred (March 12)
A-396/19	JOHN KAVCIC JR. LTD	6900 MILLCREEK DR	9	Approved (AT, AC)
A-435/19	PASCAL CESARIO	1417 SHADOWA RD	2	Deferred (Apr 23)

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 for the property located at **151 CITY CENTRE DRIVE**.
Date of Hearing on Thursday January 30, 2020
Date Decision Signed by the Committee February 6, 2020

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

No Member declared a pecuniary interest for this application.

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

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the creation of the new lot proposing:

1. To allow all lands zoned H-CC2(2) and subject to land division application B61/19 to be considered one lot for the purposes of parking, driveways and aisles whereas By-law 0225-2007, as amended, does not permit lands zoned H-CC2(2) to be treated as one lot in this instance;
2. 285 parking spaces on the entire lands whereas By-law 0225-2007, as amended, requires a minimum of 302 parking spaces in this instance; and
3. 4 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 9 accessible parking spaces in this instance.

E. Perlman, agent, attended and presented evidence and comment in support of the application.

BACKGROUND

On October 10, 2019, E. Perlman, agent, attended and requested to defer the application to meet with staff.

The Committee consented to the request and deferred the application to the December 12th, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated October 1, 2019)
- City of Mississauga, Transportation and Works Department (dated October 1, 2019)
- Region of Peel (dated October 4, 2019)
- Bell Canada (September 6, 2019)

On December 12th 2019, E. Perlman, agent, requested to defer to work with staff.

Committee consented to the request and deferred the application to the January 30th, 2020 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated December 4, 2020)

- City of Mississauga, Transportation and Works Department (dated December 9, 2020)
- Region of Peel (dated December 4, 2020)

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated January 20, 2020)
- City of Mississauga, Transportation and Works Department (dated January 28, 2020)
- Region of Peel (dated January 24, 2020)

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. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow:

1. 285 parking spaces on the entire lands whereas By-law 0225-2007, as amended, requires a minimum of 302 parking spaces in this instance; and
2. 4 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 9 accessible parking spaces in this instance.

Committee Decision dated at the City of Mississauga on February 6, 2020.

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

I certify this is copy of the decision of the Committee's decision given on February 6, 2020.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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please call 905-615-3200 ext. 2408
or

email Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **February 26, 2020**.

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 for the property located at **3269 Michaud Avenue.**
Date of Hearing on Thursday January 30, 2020
Date Decision Signed by the Committee February 6, 2020

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

No Member declared a pecuniary interest for this application.

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

APPLICATION DETAILS

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

1. A gross floor area of 355.77sq.m (approx. 3,829.60sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 290.00sq.m (approx. 3,121.64sq.ft) in this instance; and
2. A driveway width of 6.87m (approx. 22.54ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

K. Jaura, 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 January 20, 2020)
- City of Mississauga, Transportation and Works Department (dated January 17, 2020)
- Region of Peel (dated January 24, 2020)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- One petition of support was received signed by two area residents.

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 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: W. Shahrukh SECONDED BY: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of a new house on the subject property proposing:

1. A gross floor area of 355.77sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 290.00sq.m in this instance; and
2. A driveway width of 6.87m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m in this instance.

Committee Decision dated at the City of Mississauga on February 6, 2020.

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

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SEAN KENNEY - SECRETARY-
TREASURER

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This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **February 26, 2020**.

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 for the property located at **18 Minnewawa Road**.
Date of Hearing on Thursday January 30, 2020
Date Decision Signed by the Committee February 6, 2020

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:46p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow an inground pool and pool equipment in the front yard (abutting a laneway) of the subject property whereas By-law 0225-2007, as amended, does not permit an inground pool and pool equipment in a front yard in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated January 17, 2020)
- City of Mississauga, Transportation and Works Department (dated January 17, 2020)
- Region of Peel (dated January 24, 2020)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED:

To allow an inground pool and pool equipment in the front yard (abutting a laneway) of the subject property whereas By-law 0225-2007, as amended, does not permit an inground pool and pool equipment in a front yard in this instance.

Committee Decision dated at the City of Mississauga on February 6, 2020.

<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> (CHAIR) 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 **February 26, 2020**.

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 for the property located at **36 Elm Drive West**.
Date of Hearing on Thursday January 30, 2020
Date Decision Signed by the Committee February 6, 2020

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

Mr. J. Kwast declared a pecuniary interest for this application. He left the hearing room and did not participate in the proceedings in any manner.

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

APPLICATION DETAILS

To approve a minor variance to allow an increased floor plate on the subject property proposing a maximum tower floor plate area of 762sq.m (approx. 8,202sq.ft) whereas By-law 0225-2007, as amended, permits a maximum tower floor plate area of 750sq.m (approx. 8,073sq.ft) in this instance.

D. Riley, 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 January 20, 2020)
- City of Mississauga, Transportation and Works Department (dated January 17, 2020)
- City of Mississauga, Community Services Department, Park Planning (dated January 17, 2020)
- Region of Peel (dated January 24, 2020)

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: D. Cook CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow an increased floor plate on the subject property proposing a maximum tower floor plate area of 762sq.m whereas By-law 0225-2007, as amended, permits a maximum tower floor plate area of 750sq.m in this instance.

Committee Decision dated at the City of Mississauga on February 6, 2020.

<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> (CHAIR) J. PAGE	ABSENT J. KWAST
<u>"D. COOK"</u> D. COOK	

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This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **February 26, 2020**.

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 for the property located at **30 Elm Drive West**.
Date of Hearing on Thursday January 30, 2020
Date Decision Signed by the Committee February 6, 2020

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

Mr. J. Kwast declared a pecuniary interest for this application. He left the hearing room and did not participate in the proceedings in any manner.

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 residential dwelling proposing 418 dwelling units whereas By-law 0225-2007, as amended, permits a maximum of 411 dwelling units in this instance.

D. Riley, 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 January 20, 2020)
- City of Mississauga, Transportation and Works Department (dated January 17, 2020)
- City of Mississauga, Community Services Department, Park Planning (dated January 17, 2020)
- Region of Peel (dated January 24, 2020)

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: D. Cook CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of a residential dwelling proposing 418 dwelling units whereas By-law 0225-2007, as amended, permits a maximum of 411 dwelling units in this instance.

Committee Decision dated at the City of Mississauga on February 6, 2020.

<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> (CHAIR) J. PAGE	ABSENT J. KWAST
<u>"D. COOK"</u> D. COOK	

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This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **February 26, 2020**.

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 for the property located at **1842 Lakeshore Road West**.
Date of Hearing on Thursday January 30, 2020
Date Decision Signed by the Committee February 6, 2020

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:58p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the existing restaurant operation to continue proposing:

1. 8 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 9 parking spaces in this instance; and
2. A restaurant use within 60m of a residential zone whereas By-law 0225-2007, as amended, does not permit a restaurant within 60m of a residential zone in this instance.

W. Thomas, 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 January 17, 2020)
- City of Mississauga, Transportation and Works Department (dated January 17, 2020)
- Region of Peel (dated January 17, 2020)

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: J. Kwast CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To approve a minor variance to allow the existing restaurant operation to continue proposing:

1. 8 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 9 parking spaces in this instance; and
2. A restaurant use within 60m of a residential zone whereas By-law 0225-2007, as amended, does not permit a restaurant within 60m of a residential zone in this instance.

Committee Decision dated at the City of Mississauga on February 6, 2020.

<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> (CHAIR) J. PAGE	<u>"J. KWAST"</u> J. KWAST
<u>"D. COOK"</u> D. COOK	

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NOTES:

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

Decision of the Mississauga Committee of Adjustment under
Section 45(1) OR (2) of The Planning Act R.S.O. 1990, c.P.13, as amended.
Application for the property located at **11 Knaseboro Street**.
Date of Hearing on Thursday January 30, 2020
Date Decision Signed by the Committee February 6, 2020

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 the construction of a new house proposing a gross floor area of 321.63sq.m (approx. 3462.00sq.ft) whereas By-law 0225-2007, as amended, permits a maximum of 268.88sq.m (approx. 2894.20sq.ft) in this instance.

J. Ramirez, 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 January 20, 2020)
- City of Mississauga, Transportation and Works Department (dated January 17, 2020)
- Region of Peel (dated January 24, 2020)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from three 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 three 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 SUBJECT TO CONDITIONS:

To allow the construction of a new house proposing a gross floor area of 321.63sq.m whereas By-law 0225-2007, as amended, permits a maximum of 268.88sq.m in this instance.

CONDITION(S):

1. Construction related to this variance shall be in general conformance with the plans approved by the Committee.

Committee Decision dated at the City of Mississauga on February 6, 2020.

<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> (CHAIR) J. PAGE	<u>"J. KWAST"</u> J. KWAST
<u>"D. COOK"</u> D. COOK	

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NOTES:

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

Decision of the Mississauga Committee of Adjustment under
Section 45(1) OR (2) of The Planning Act R.S.O. 1990, c.P.13, as amended.
Application for the property located at **1560 Northmount Avenue.**
Date of Hearing on Thursday January 30, 2020
Date Decision Signed by the Committee February 6, 2020

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:07p.m.

APPLICATION DETAILS

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

1. A floor area for an accessory structure (#2) of 29.0sq.m (approx. 312.2sq.ft) whereas By-law 0225-2007, as amended, permits a maximum floor area of 20.0sq.m (approx. 215.3sq.ft) in this instance;
2. A floor area for an accessory structure (#3) of 37.7sq.m (approx. 405.8sq.ft) whereas By-law 0225-2007, as amended, permits a maximum floor area of 20.0sq.m (approx. 215.3sq.ft) in this instance;
3. A combined floor area for all accessory structures of 85.1sq.m (approx. 405.8sq.ft) whereas By-law 0225-2007, as amended, permits a maximum combined floor area of 60.0sq.m (approx. 645.8sq.ft) in this instance;
4. A lot coverage for all accessory buildings and structures of 9.2% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage for all accessory buildings and structures of 5.0% of the lot area in this instance;
5. A height of an accessory structure of 3.85m (approx. 12.63ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.60m (approx. 11.81ft) in this instance;
6. An interior side yard measured to an accessory structure of 0.46m (approx. 1.51ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.20m (approx. 3.94ft) in this instance;
7. A setback to a Greenlands Zone of 1.4m (approx. 4.6ft) whereas By-law 0225-2007, as amended, requires a minimum setback to a Greenlands Zone of 5.0m (approx. 16.4ft) in this instance;
8. A side yard setback measured to hard surfaced landscape material of 0.0m whereas By-law 0225-2007, as amended, requires a minimum side yard setback measured to hard surfaced landscape material of 0.61m (approx. 2.00ft) in this instance; and
9. A setback from hard surfaced landscape material to a Greenlands Zone of 1.4m (approx. 4.6ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback from hard surfaced landscape material to a Greenlands Zone of 5.0m (approx. 16.4ft) in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated January 17, 2020)
- City of Mississauga, Transportation and Works Department (dated January 17, 2020)
- City of Mississauga, Community Services Department, Park Planning (dated January 17, 2020)
- Region of Peel (dated January 17, 2020)
- Credit Valley Conservation (dated January 17, 2020)
- The Ministry of Transportation (dated January 17, 2020)

CORRESPONDENCE & DISCUSSION

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

One area resident appeared before the Committee and expressed objections for the application.

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

Committee discussed the merits of the application and the impact of variance #6.

DECISION

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

Committee has taken into consideration, on balance, any and all submissions made before its decision including one oral 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. Kennedy CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITIONS:

To permit the three existing accessory structures to remain within the rear yard of the subject property proposing:

1. A floor area of 29.0sq.m for accessory structure (#2); whereas By-law 0225-2007, as amended, permits a maximum floor area of 20.0sq.m in this instance;
2. A floor area of 37.7sq.m for an accessory structure (#3); whereas By-law 0225-2007, as amended, permits a maximum floor area of 20.0sq.m in this instance;
3. A combined floor area for all accessory structures of 85.1sq.m; whereas By-law 0225-2007, as amended, permits a maximum combined floor area of 60.0sq.m in this instance;
4. A lot coverage for all accessory buildings and structures of 9.25% of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage for all accessory buildings and structures of 5.0% of the lot area in this instance;
5. A height of 3.85m for accessory structures #2 & #3; whereas By-law 0225-2007, as amended, permits a maximum height of 3.50m in this instance;
6. A setback to a Greenlands Zone of 1.4m measured to accessory structure #1 whereas; By-law 0225-2007, as amended, requires a minimum setback to a Greenlands Zone of 5.0m in this instance;
7. A southerly side yard setback of 0.0m measured to the hard surfaced landscape material; whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 0.61m in this instance; and
8. A setback to a Greenlands Zone of 1.4m measured to the hard surfaced landscape material; whereas By-law 0225-2007, as amended, requires a minimum setback to a Greenlands Zone of 5.0m in this instance.

CONDITION(S):

1. All existing/proposed structures shall be equipped with an eaves trough and down spout directed in such a manner to not impact the adjacent properties.

Committee Decision dated at the City of Mississauga on February 6, 2020.

<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> (CHAIR) 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 February 6, 2020.

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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or
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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 **February 26, 2020**.

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 for the property located at **100 Emby Drive**.
Date of Hearing on Thursday January 30, 2020
Date Decision Signed by the Committee February 6, 2020

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:43p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow a vehicle impound facility use and an accessory structure containing an office use (security office) to remain on the subject property whereas By-law 0225-2007, as amended, does not permit such uses in this instance.

T. Keely, 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 January 20, 2020)
- City of Mississauga, Transportation and Works Department (dated January 17, 2020)
- Region of Peel (dated January 24, 2020)
- Credit Valley Conservation Authority (dated January 10, 2020)

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. Kennedy CARRIED

The Decision of the Committee is:

APPLICATION APPROVED FOR A TEMPORARY PERIOD OF 5 YEARS (approval will lapse on Feb, 28, 2025):

To allow a vehicle impound facility use and an accessory structure containing an office use (security office) to remain on the subject property whereas By-law 0225-2007, as amended, does not permit such uses in this instance.

Committee Decision dated at the City of Mississauga on February 6, 2020.

<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> (CHAIR) 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 **February 26, 2020**.

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 for the property located at **18 Arch Road.**
Date of Hearing on Thursday January 30, 2020
Date Decision Signed by the Committee February 6, 2020

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:46p.m.

APPLICATION DETAILS

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

1. A gross floor area of 421.59sq.m (approx. 4537.96ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 357.70sq.m (approx. 3850.25sq.ft) in this instance; and
2. A building height measured to the underside of the eaves of 7.07m (approx. 23.20ft) whereas By-law, as amended, permits a maximum building height measured to the underside of eaves of 6.40m (approx. 21.00ft) 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 January 20, 2020)
- City of Mississauga, Transportation and Works Department (dated January 17, 2020)
- Region of Peel (dated January 24, 2020)

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: J. Kwast CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITIONS:

To approve a minor variance to allow the construction of a new two storey dwelling proposing:

1. A gross floor area of 421.59sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 357.70sq.m in this instance; and
2. A building height measured to the underside of the eaves of 7.07m whereas By-law, as amended, permits a maximum building height measured to the underside of eaves of 6.40m in this instance.

CONDITION(S):

1. Construction related to this variance shall be in general conformance with the plans approved by the Committee.

Committee Decision dated at the City of Mississauga on February 6, 2020.

<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> (CHAIR) J. PAGE	<u>"J. KWAST"</u> J. KWAST
<u>"D. COOK"</u> D. COOK	

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"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **February 26, 2020**.

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 for the property located at **6900 Millcreek Drive**.
Date of Hearing on Thursday January 30, 2020
Date Decision Signed by the Committee February 6, 2020

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:02p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to permit a restaurant in Unit 1 proposing:

1. A restaurant within 60m of a residential zone whereas By-law 0225-2007, as amended, does not permit a restaurant within 60m of a residential zone; and
2. 61 parking spaces on-site whereas By-law 0225-2007, as amended, requires a minimum 72 parking spaces on-site in this instance.

P. Karam, and G. Boghdady, agents, attended and presented evidence and comment in support of the application.

BACKGROUND

On October 10th, 2019, G. Boghdady, 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 were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated October 8, 2019)
- City of Mississauga, Transportation and Works Department (dated September 27, 2019)
- Region of Peel (dated October 4, 2019)
- Letters of objection were received from six area residents expressing concerns regarding the subject application.
- A memorandum was received from Ward Councillor Saito expressing concerns regarding the subject application.

One area resident appeared before the Committee and objected to the application. Concerns included noise, garbage disposal, the hours of operation and parking.

Committee asked questions of the resident who appeared before the Committee regarding the source of the noise. The resident indicated that it involved people hanging around in the parking lot after hours.

Committee asked questions of the agent who appeared before the Committee regarding the current seating capacity. The agent indicated that the seating had recently been reconfigured and that the

pictures submitted by area residents may be out of date. The agent also indicated that the noise mentioned by the residents actually originates from an adjoining unit.

Committee asked questions of the agent regarding if this was truly a take-out restaurant, and the agent indicated that under the occupancy permit and lease it is classified as a restaurant. Committee expressed concerns regarding if the variances were correct based on what was applied for and the proposed use.

R. Vertolli, Planner with the Planning and Building Department, clarified for the Committee that a restaurant is a permitted use within the zone.

Committee indicated that a deferral may be appropriate for the applicant to engage with staff and neighbours and for the notice to be recirculated.

The agent requested to defer the application to address staff, neighbour and councillor concerns.

The Committee consented to the request and deferred the application to the December 12th, 2019 hearing.

On December 12th, 2019, P. Karam, agent, requested to defer to allow staff time to review the parking study.

Committee consented to the request and deferred the application to the January 30th, 2020 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated December 4, 2019)
- City of Mississauga, Transportation and Works Department (dated November 29, 2019)
- Region of Peel (dated December 4, 2019)
- Two letters of objection were received area residents
- Two letters of no objection were received.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated January 20, 2020)
- City of Mississauga, Transportation and Works Department (dated January 17, 2020)
- Region of Peel (dated January 24, 2020)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

Two area residents appeared on behalf of area residents and objected the application.

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

DECISION

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

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

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

The Decision of the Committee is:

**APPLICATION APPROVED SUBJECT TO TERMS FOR A TEMPORARY PERIOD OF 3 YEARS
(approval will lapse on Feb, 28, 2023):**

To permit a restaurant in Unit 1 proposing:

1. A restaurant within 60m of a residential zone whereas By-law 0225-2007, as amended, does not permit a restaurant within 60m of a residential zone; and
2. 61 parking spaces on-site whereas By-law 0225-2007, as amended, requires a minimum 72 parking spaces on-site in this instance.

TERMS:

1. Closing hours of operation of the restaurant shall be Sunday through Thursday until midnight, and Friday and Saturday until 1:00a.m.

Committee Decision dated at the City of Mississauga on February 6, 2020.

<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> (CHAIR) J. PAGE	<u>"J. KWAST"</u> J. KWAST
<u>"D. COOK"</u> D. COOK	

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **February 26, 2020**.

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.