

May 22nd, 2020

RE: New Notice of Decisions required due to the COVID-19 Emergency. The Province recently made changes to notice periods to provide clarity to all Committee of Adjustment Decision impacted by the Covid 19 Emergency Declaration.

Previously the Province issued emergency order regulations that suspended all Planning Act timelines as of March 15th, 2020. This included any file still within the 20 day appeal period as of March 15th, 2020.

The Province has issued new regulations that require us to issue new Notices of Decision for all applications that received a decision on or after Feb 26th, 2020. The effective of this notice is to reset the 20 day appeal period. The new appeal period begins 20 days after the date of mailing.

To file an appeal with the Local Planning Appeal Tribunal, you must file written notification, to the Secretary Treasurer Committee of Adjustment giving reasons for the appeal and accompanied with the prescribed application and fees on or before **June 11th, 2020**.

Appeals can be mailed to: Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga, ON, L5B 3C1.

Kind regards,



Umar Mahmood
Committee of Adjustment Coordinator

Enclosure

COMMITTEE OF ADJUSTMENT RESULTS



Location: COUNCIL CHAMBER
Hearing: MARCH 5, 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

NEW APPLICATIONS (CONSENT)

B-15/20	DOROTHY BRITNELL	1043 LORNE PARK RD	2	Approved (AC)
A-81/20				Approved (ACP)
A-82/20				Approved (ACP)

DEFERRED APPLICATIONS (CONSENT)

NONE

NEW APPLICATIONS (MINOR VARIANCE)

A-78/20	JESSICA & MANDEEP SACHDEVA	494 ATWATER AVE	1	Approved (ACP)
A-79/20	BESHARA BESHAY & EMAN MOHAMMAD	3104 HAWKTAIL CRES	10	Approved (AC, ACP)
A-80/20	BOHDAN & ANNA LESIW	4280 GREYBROOK CRES	3	D (Mar 26)

DEFERRED APPLICATIONS (MINOR VARIANCE)

A-421/19	MIROSLAWA KOT & MYKOLA PONOMARENKO	4269 GOLDEN ORCHARD DR	3	Approved
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Decision of the Mississauga Committee of Adjustment under
Section 53 of The Planning Act R.S.O. 1990, C.P.13, as amended.
Application for the property located at **1043 LORNE PARK ROAD.**

Date of Hearing on Thursday March 5, 2020

Date Decision Signed by the Committee March 12, 2020

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

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

The subject application was heard at approximately 1:33p.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 13.69m (44.91ft) and an area of approximately 1037.60sq.m (11,168.63sq.ft).

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated March 3, 2020)
- City of Mississauga, Transportation and Works Department (dated March 3, 2020)
- City of Mississauga, Community Services Department, Park Planning (dated March 3, 2020)
- Region of Peel (dated March 3, 2020)
- Bell Canada, Right-of-Way (dated March 3, 2020)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from one area resident expressing objections to the subject application.
- Correspondence was received from one area resident expressing support for the subject application.
- Correspondence was received through an area resident on behalf of another resident expressing objection to the subject application.

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

Three area residents appeared before the Committee and expressed concerns regarding the subject application. Concerns included property values and the varying of existing Zoning By-laws.

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 3 written submissions and 3 oral submissions.

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

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

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

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

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 13.69m and an area of approximately 1037.60sq.m.

Committee Decision dated at the City of Mississauga on March 12, 2020. |

<u>ABSENT</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>ABSENT</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 March 12, 2020. |

"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: May 22, 2020

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 **June 11, 2020.**

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 May 22, 2021.

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

Appendix A – Conditions of Provisional Consent

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

Appendix A – Conditions of Provisional Consent

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A"81/20 & "A"82/20)
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 March 3, 2020.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated March 3, 2020.

Lot Creation

- a. The variance application approved under File(s) A81/20 & A82/20 must be finalized.

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

Transportation and Works Comments

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

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

The applicant's consulting engineer will be required to prepare an Overall Grading and Drainage Plan 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.

Upon the review of an Overall Grading and Drainage Plan it may be determined that a catch basin may be required and satisfactory arrangements will have to be made for the construction of any required catch basin.

Where existing sewer capacity exists applicants are encouraged to design the basement elevation to be at least 1.0 metre above the elevation of the on-street storm sewer obvert to eliminate the need for a sump pump. In situations where a sump pump is required and where a high groundwater table may exist, the sump pump may run continuously. The applicants are encouraged to design the weeping tile elevation to be at least 1.0 metre above the seasonal groundwater elevation.

2. Municipal Address Requirement

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

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

2. Servicing

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

3. Access

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

4. Storm Sewer Outlet

The applicant is advised that storm sewer outlet for the property is the existing 750mm dia. Storm Sewer on Lorne Park Road.

Where existing sewer capacity exists applicants are encouraged to design the basement elevation to be at least 1.0 metre above the elevation of the on-street storm sewer obvert to eliminate the need for a sump pump. In situations where a sump pump is required and where a high groundwater table may exist, the sump pump may run continuously. The applicants are encouraged to design the weeping tile elevation to be at least 1.0 metre above the seasonal groundwater elevation.

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

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

Parks, Forestry and Environment

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

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

1. The applicant shall provide a cash contribution of \$1,768.32 for the planting of three (3) street trees on Lorne Park Road. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

1. Requirements for Municipal Boulevard tree protection securities and protective hoarding will be addressed during the Site Plan process.
2. 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.
3. 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 or via email jim.greenfield@mississauga.ca.

Decision of the Mississauga Committee of Adjustment under
Section 45(1) OR (2) of The Planning Act R.S.O. 1990, c.P.13, as amended.
Application for the property located at **1043 LORNE PARK ROAD.**
Date of Hearing on Thursday March 5, 2020
Date Decision Signed by the Committee March 12, 2020

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

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

The subject application was heard at approximately 1:33p.m.

APPLICATION DETAILS

A minor variance has been requested for the Severed lands (A81/20) proposing:

1. A lot frontage of 13.69m (approx. 44.91ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 18.00m (approx. 59.06ft) in this instance;
2. A dwelling depth of 20.03m (approx. 65.72ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
3. A southerly side yard measured to the first and second stories of 1.21m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum southerly side yard measured to the first and second stories of 2.41m (approx. 7.91ft) in this instance;
4. A combined width of side yards of 3.62m (approx. 11.88ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 3.696m (approx. 12.13ft) in this instance; and
5. A height measured to the eaves of 6.48m (approx. 21.26ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated March 3, 2020)
- City of Mississauga, Transportation and Works Department (dated March 3, 2020)
- City of Mississauga, Community Services Department, Park Planning (dated March 3, 2020)
- Region of Peel (dated March 3, 2020)
- Bell Canada (dated March 3, 2020)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

- Correspondence was received from one area resident expressing support for the subject application.
- Correspondence was received through an area resident on behalf of another resident expressing objection to the subject application.

Three area residents appeared before the Committee and expressed concerns regarding the subject application. Concerns included property values and the varying of existing Zoning By-laws.

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 3 written submissions and 3 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: D. Cook SECONDED BY: J. Kwast CARRIED

The Decision of the Committee is:

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

To allow the creation of a new lot and construction of a new home on the subject property, being the Severed lands of Consent application B15/20, proposing:

1. A lot frontage of 13.69m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 18.00m in this instance;
2. A dwelling depth of 20.03m whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m in this instance;
3. A southerly side yard measured to the first and second stories of 1.21m whereas By-law 0225-2007, as amended, requires a minimum southerly side yard measured to the first and second stories of 2.41m in this instance;
4. A combined width of side yards of 3.62m whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 3.696m in this instance; and
5. A height measured to the eaves of 6.48m whereas By-law 0225-2007, as amended, permits a maximum height measured to the 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 March 12, 2020.

<u>ABSENT</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>ABSENT</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 March 12, 2020.

"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 **June 11, 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 **1043 LORNE PARK ROAD.**
Date of Hearing on Thursday March 5, 2020
Date Decision Signed by the Committee March 12, 2020

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

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

The subject application was heard at approximately 1:33p.m.

APPLICATION DETAILS

A minor variance has been requested for the Retained lands (A82/20) proposing:

1. A lot frontage of 13.69m (approx. 44.91ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 18.00m (approx. 59.06ft) in this instance;
2. A dwelling depth of 20.03m (approx. 65.72ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
3. A northerly side yard measured to the second storey of 1.21m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum northerly side yard measured to the second storey of 2.41m (approx. 7.91ft) in this instance;
4. A southerly side yard measured to the second storey of 2.40m (approx. 7.87ft) whereas By-law 0225-2007, as amended, requires a minimum southerly side yard measured to the second storey of 2.41m (approx. 7.91ft) in this instance;
5. A combined width of side yards of 3.61m (approx. 11.84ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 3.696m (approx. 12.13ft) in this instance; and
6. A height measured to the eaves of 6.47m (approx. 21.23ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated March 3, 2020)
- City of Mississauga, Transportation and Works Department (dated March 3, 2020)
- City of Mississauga, Community Services Department, Park Planning (dated March 3, 2020)
- Region of Peel (dated March 3, 2020)
- Bell Canada (dated March 3, 2020)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from one area resident expressing objections to the subject application.
- Correspondence was received from one area resident expressing support for the subject application.
- Correspondence was received through an area resident on behalf of another resident expressing objection to the subject application.

Three area residents appeared before the Committee and expressed concerns regarding the subject application. Concerns included property values and the varying of existing Zoning By-laws.

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 3 written submissions and 3 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: D. Cook SECONDED BY: J. Kwast CARRIED

The Decision of the Committee is:

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

To allow the creation of a new lot and construction of a new home on the subject property, being the Retained lands of Consent application B15/20, proposing:

1. A lot frontage of 13.69m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 18.00m in this instance;
2. A dwelling depth of 20.03m whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m in this instance;
3. A northerly side yard measured to the second storey of 1.21m whereas By-law 0225-2007, as amended, requires a minimum northerly side yard measured to the second storey of 2.41m in this instance;
4. A southerly side yard measured to the second storey of 2.40m whereas By-law 0225-2007, as amended, requires a minimum southerly side yard measured to the second storey of 2.41m in this instance;
5. A combined width of side yards of 3.61m whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 3.696m in this instance; and
6. A height measured to the eaves of 6.47m whereas By-law 0225-2007, as amended, permits a maximum height measured to the 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 March 12, 2020.

ABSENT S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	ABSENT 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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"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 **June 11, 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 **494 ATWATER AVENUE**.
Date of Hearing on Thursday March 5, 2020
Date Decision Signed by the Committee March 12, 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 1:54p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow an addition and accessory structure proposing:

1. A front yard measured to the dwelling of 5.96m (approx. 19.55ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) in this instance;
2. A front yard measured to the front porch of 4.95m (approx. 16.24ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a porch of 5.90m (approx. 19.36ft) in this instance;
3. A centre line setback measured from the midpoint of Atwater Avenue to the nearest part of any building or structure (edge of front porch stairs) of 15.15m (approx. 49.70ft) whereas By-law 0225-2007, as amended, requires a minimum centre line setback measured from the midpoint of Atwater Avenue to the nearest part of any building or structure of 17.50m (approx. 57.41ft) in this instance;
4. A driveway width of 6.99m (approx. 22.93ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
5. A combined width of side yards measured to accessory structures of 0.99m (approx. 3.25ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 4.93m (approx. 16.17ft) in this instance;
6. An interior side yard measured to an accessory structure (new shed) of 0.39m (approx. 1.28ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of measured to an accessory structure of 1.80m (approx. 5.91ft) in this instance;
7. An interior side yard measured to an accessory structure (existing shed) of 0.56m (approx. 1.84ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to an accessory structure of 1.80m (approx. 5.91ft) in this instance;
8. An interior side yard measured to a pergola of 0.39m (approx. 1.28ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a pergola of 1.80m (approx. 5.91ft) in this instance; and
9. A combined area of accessory structures of 39.04sq.m (approx. 420.22sq.ft) whereas By-law 0225-2007, as amended, permits a maximum combined area of accessory structures of 30.00sq.m (approx. 322.92sq.ft) in this instance.

K. Harrison, 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 February 26, 2020)
- City of Mississauga, Transportation and Works Department (dated February 26, 2020)
- Region of Peel (dated February 26, 2020)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from one area resident expressing objections to the subject application.
- A petition of support was received through the agent 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 1 written submission and 1 petition. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

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

The Decision of the Committee is:

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

To allow an addition and accessory structure proposing:

1. A front yard measured to the dwelling of 5.96m whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m in this instance;
2. A front yard measured to the front porch of 4.95m whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a porch of 5.90m in this instance;
3. A centre line setback measured from the midpoint of Atwater Avenue to the nearest part of any building or structure (edge of front porch stairs) of 15.15m whereas By-law 0225-2007, as amended, requires a minimum centre line setback measured from the midpoint of Atwater Avenue to the nearest part of any building or structure of 17.50m in this instance;
4. A driveway width of 6.99m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m in this instance;
5. A combined width of side yards measured to accessory structures of 0.99m whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 4.93m in this instance;
6. An interior side yard measured to an accessory structure (new shed) of 0.39m whereas By-law 0225-2007, as amended, requires a minimum interior side yard of measured to an accessory structure of 1.80m in this instance;
7. An interior side yard measured to an accessory structure (existing shed) of 0.56m whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to an accessory structure of 1.80m in this instance;
8. An interior side yard measured to a pergola of 0.39m whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a pergola of 1.80m in this instance; and
9. A combined area of accessory structures of 39.04sq.m whereas By-law 0225-2007, as amended, permits a maximum combined area of accessory structures of 30.00sq.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 March 12, 2020.

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

I certify this is copy of the decision of the Committee's decision given on March 12, 2020.

"S. KENNEY"

For a signed copy of this document

SEAN KENNEY - SECRETARY-TREASURER

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 **June 11, 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 **3104 HAWKTAIL CRESCENT**.
Date of Hearing on Thursday March 5, 2020
Date Decision Signed by the Committee March 12, 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 2:00p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow the existing basement walkout to remain proposing an easterly side yard of 0.23m (approx. 0.75ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.93ft) in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated February 26, 2020)
- City of Mississauga, Transportation and Works Department (dated February 26, 2020)
- Region of Peel (dated February 26, 2020)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

One area resident appeared before the Committee and expressed concerns regarding the application.

Committee asked questions of the agent who appeared before the Committee regarding access to the rear yard for maintenance and the air conditioning unit.

DECISION

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

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

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

The Decision of the Committee is:

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

To allow the existing basement walkout to remain proposing an easterly side yard of 0.23m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m in this instance.

TERM(S):

1. A privacy fence shall be installed and maintained from the existing rear yard fence forward to at least 0.91m (approx. 3ft) closer to the street than the closest point of the stairs to the street.

CONDITION(S):

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

NOTE:

1. OBC may supersede the requirement for a fence (example rail vs fence).

Committee Decision dated at the City of Mississauga on March 12, 2020.

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

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"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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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 **June 11, 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 **4269 GOLDEN ORCHARD DRIVE**.
Date of Hearing on Thursday March 5, 2020
Date Decision Signed by the Committee March 12, 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 2:29p.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 8.20m (approx. 26.90ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance; and
2. A walkway attachment of 1.80m (approx. 5.91ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.50m (approx. 4.92ft) in this instance.

M. Ponomarenko & M. Kot, co-owners of the property, attended and presented evidence and comment in support of the application.

BACKGROUND

On November 7, 2019, M. Ponomarenko & M. Kot, co-owners of the property, attended and requested to defer the application to address staff, neighbours and councillor concerns.

The Committee consented to the request and deferred the application to the February 27th, 2020 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated October 31, 2019)
- City of Mississauga, Transportation and Works Department (dated November 7, 2019)
- Region of Peel (dated October 28, 2019)
- Letters of support were received from 4 area residents.
- A letter of concern was received from 1 area resident.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated February 26, 2020)
- City of Mississauga, Transportation and Works Department (dated February 26, 2020)
- Region of Peel (dated February 26, 2020)

CORRESPONDENCE & DISCUSSION

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

Two area residents appeared before the Committee and expressed support for the application.

Committee asked questions of the owners who appeared before the Committee regarding the reasoning for the driveway width and if the Wheel Trans buses actually pull into the driveway or stop at the bottom.

DECISION

Committee has taken into consideration, on balance, any and all submissions made before its decision including 5 written submissions and 2 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: D. George SECONDED BY: J. Page CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow a widened driveway on the subject property proposing:

1. A driveway width of 8.20m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m in this instance; and
2. A walkway attachment of 1.80m whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.50m in this instance.

Committee Decision dated at the City of Mississauga on March 12, 2020.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>ABSENT</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>DISSENTED</u> J. KWAIST
<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 **June 11, 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.