
Committee of Adjustment

Date: March 25, 2021
Time: 1:00 PM
Location: Online Video Conference

Members	Sebastian Patrizio	(Chair)
	David George	
	John Page	
	David Kennedy	
	Wajeeha Shahrukh	
	David Cook	
	John Kwast	

Staff Present	Shelby Clements
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1. CALL TO ORDER
2. DECLARATION OF CONFLICT OF INTEREST
3. DEFERRALS OR WITHDRAWALS
4. MATTERS TO BE CONSIDERED
 - 4.1 B15/21-A88/21-A89/21
1029 INDIAN RD (WARD 2)
KIMBERLY WILLIAMS

The Secretary – Treasurer noted the comments received from:

- A memorandum was received from Ward Councillor Ras expressing objection to the subject application. She requested the Committee to refuse the subject application.
- Correspondence was received from three area residents expressing objection to the subject application.
- Correspondence was received from one area resident expressing no objection to the subject application.

One area resident appeared before the Committee and expressed concern regarding the application. One area resident appeared and expressed no objection to the subject application.

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

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

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DECISION

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

DECISIONS

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

MOVED BY:	J. Page
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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 has a frontage of approximately 22.86m and an area of approximately 1604.60sq.m.

CONDITIONS:

1. The variance application approved under File(s) A88.21 & A89.21 must be finalized

DECISIONS

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

MOVED BY:	J. Page	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITIONS:

A lot frontage of 22.86m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m in this instance.

CONDITION(S):

1. Variance(s) approved under file(s) 21 & A89.21 shall lapse if the consent application under file B15.21 is not finalized within the time prescribed by legislation.

4.2 A67/21-A68/21

50 CAPSTON DR & 6305 KATESON DR (WARD 5)

HEARTLAND (SEVEN) LIMITED

A67/21

This file has been withdrawn from consideration by the agent.

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.

DECISIONS

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

MOVED BY:	D. George	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED:

To allow a reduction in required parking proposing 104 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 112 parking spaces in this instance.

4.3 A82/21

1610 KENMUIR AVE (WARD 1)

RANJVEER RANDHAWA & RUPINDER JUDGE

The Secretary – Treasurer noted the comments received from:

- A petition of objection was received signed by 4 area residents
- A petition of support was received signed by 1 area resident

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 two petitions. 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.

DECISIONS

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

MOVED BY:	J. Page	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow the construction of a new house proposing:

1. A gross floor area of 414.04sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 336.01sq.m in this instance;
2. A lot coverage of 39.35% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
3. A garage depth of 5.94m whereas By-law 0225-2007, as amended, requires a minimum garage depth of 6.00m in this instance;
4. Eave encroachment of 0.6m into the required front yard whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0.45m in this instance;
5. Eave encroachment of 0.56m into the required side yard whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0.45m in this instance;
6. A combined side yard setback measured to the eave overhangs of 3.73m whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback 4.94m in this instance; and
7. A building height measured to the underside of the eaves of 6.62m whereas By-law 0225-2007, as amended, permits a maximum building height measured to the underside of the eaves of 6.40m in this instance.

4.4 A83/21

827 MISSISSAUGA VALLEY BLVD (WARD 4)

FAISAL HUSSAIN & AMNA FAISAL

The Secretary – Treasurer noted the comments received from:

- A petition of objection was received signed by 7 area residents.

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 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.

DECISIONS

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

MOVED BY:	W. Shahrukh	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow the construction of an addition on the subject property proposing a side yard of 1.23m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m in this instance.

4.5 A84/21

3236 VALMARIE AVE (WARD 6)

RANBIR & HARJIT MINHAS

This file has been withdrawn from consideration by the agent.

4.6 A85/21

372 NIAR AVE (WARD 1)

MARTA SROCZYNSKA

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.

DECISIONS

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

MOVED BY:	D. George	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow the construction of an addition on the subject property proposing:

1. A lot coverage of 41.47% 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; and
2. A combined side yard setback of 3.04m whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 4.93m in this instance.

4.7 A86/21

930 DERRY RD E (WARD 5)

TSOKOS STAVROS, TSOKOS ANDREAS & ROBINSON ANASTASIA

On March 11, 2021, A. Minns, agent, requested to defer the application to confirm parking calculations.

The Committee consented to the request and deferred the application until further notice.

4.8 A87/21

70 MISSISSAUGA RD S (WARD 1)

PORT CREDIT WEST VILLAGE PARTNERS INC.

The Secretary – Treasurer noted the comments received from:

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

Two area resident spoke before the Committee and objected to the application. Objections included the need for more parking and impact on surrounding neighbourhoods.

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

1. Ferro, and T. Shukla, Planning and Building Department spoke on the parking demands and proximity of the proxy site. L. Petricca, Planning and Building, spoke in regards to the requested conditions of approval.

DECISION

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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 three written submissions, and two 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 not minor in nature, is not 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 not maintained.

DECISIONS

Accordingly, the Committee resolves to refuse the request.

MOVED BY:	D. Kennedy	CARRIED
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The Decision of the Committee is:

APPLICATION REFUSED:

The applicant requests the Committee to approve a minor variance to allow the construction of a mixed-use building proposing:

1. A parking rate of 0.86 resident spaces per apartment dwelling unit whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident parking spaces per apartment dwelling unit in this instance; and

2. A parking rate of 0.86 resident spaces per apartment dwelling unit whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident parking spaces per dwelling unit in this instance.

4.9 A91/21

54 CATTRICK ST (WARD 5)

MEENAKSHI & SUKHPREET DHANOTA

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.

DECISIONS

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

MOVED BY:	J. Page	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of a new house proposing:

1. A gross floor area of 406.66sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 350.89sq.m in this instance;

2. A side yard (northerly) of 1.52m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m in this instance;
3. A side yard (southerly) of 1.69m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m in this instance; and
4. An building height measured to the eaves (from average grade) of 7.54m whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m in this instance.

4.10 A92/21

2257 MELTON CRT (WARD 1)

LEE & ROSIE GLICK

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.

DECISIONS

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

MOVED BY:	D. Cook	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITION(S):

To approve a minor variance to allow accessory structures proposing:

1. A lot coverage of accessory structures of 113.53sq.m or 7.2% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of accessory structures of 79.13sq.m or 5% of the lot area in this instance;
2. A combined area of accessory structures of 113.53sq.m whereas By-law 0225-2007, as amended, permits a maximum combined area of accessory structures of 60.00sq.m in this instance;
3. An accessory structure area of 45.89sq.m whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq.m in this instance; and
4. A height of 4.08m measured from established grade to highest point of accessory structure, whereas By-law 0225-2007, as amended, permits a maximum height of 3.50m measured from established grade to highest point of accessory structure, in this instance.

CONDITION(S):

1. The shed shall be equipped with an eaves trough and downspout on the rear and directed such that it will not impact the adjacent property.

4.11 A93/21

1046 HEDGE DR (WARD 1)

ANGELA KOCET

On March 11, 2021, A. Kocet, owner, requested to defer the application to meet with staff.

The Committee consented to the request and deferred the application until further notice.

4.12 A94/21

2276 BROOKHURST RD (WARD 2)

JIAYUAN LU & YUNZHU JIA

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.

DECISIONS

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

MOVED BY:	D. George	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow the construction of an addition on the subject property proposing:

1. An interior side yard of 0.86m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m in this instance; and
2. An accessory structure area of 10.2sq.m whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.0sq.m in this instance.

222 LAKESHORE RD E (WARD 1)

222 LAKESHORE LTD

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.

DECISIONS

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

MOVED BY:	D. George	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED AND ON CONDITION:

To allow 15 rental apartment dwelling units (8 existing and 7 new dwelling units) on the subject property proposing:

1. 14 parking spaces, with a minimum of 9 spaces to be provided on site, whereas By-law 0225-2007, as amended, requires a minimum of 17 parking spaces in this instance;

2. Up to 5 of the required parking spaces to be located off-site whereas By-law 0225-2007, as amended, requires all parking spaces to be provided on-site in this instance;
3. A parking space length of 5.0m whereas By-law 0225-2007, as amended, requires a minimum parking space length of 5.2m in this instance;
4. A 1.46m access aisle abutting the entire length of the accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum 1.50m wide access aisle abutting the entire length of each accessible space in this instance; and
5. A drive aisle width of 5.18m whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m in this instance.

CONDITION:

1. The applicant shall make satisfactory arrangements for off-site parking with Planning and Building Staff; and if necessary enter into any required agreements (contact Staff in the City Planning Strategies Division) Note: Off-site parking may be provided through the City of Mississauga Payment-in-Lieu (PIL) or through a lease of surplus parking from a nearby property owner.

4.14 A403/20

3247 CAPRICORN CRES (WARD 5)

HARWINDER NATT

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.

DECISIONS

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

MOVED BY:	J. Page	CARRIED
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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 - infill residential of 325.01sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 291.66sq.m in this instance; and
2. A height to the eaves of 6.96m whereas By-law 0225-2007, as amended, permits a maximum height to the eaves of 6.40m in this instance.

4.15 A413/20

EDENSHAW ANN DEVELOPMENTS LTD (WARD 1

28 ANN ST

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from two area community associations expressing support for the subject application

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

1. Shukla, Planning and Building, spoke regarding the selected proxy site for the Parking Study.

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 two written submissions and two 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.

DECISIONS

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

MOVED BY:	D. George	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITIONS:

To allow reduced parking requirements on the subject property proposing:

1. 57 parking spaces per one bedroom unit whereas By-law 0225-2007, as amended, requires a minimum of 0.75 parking spaces per one bedroom unit in this instance;
2. 73 parking spaces per two bedroom unit whereas By-law 0225-2007, as amended, requires a minimum of 0.90 parking spaces per two bedroom unit in this instance.

CONDITION(S):

1. The applicant shall enter into an agreement pursuant to s.45 (9.1) of the Planning Act, with content satisfactory to City staff as indicated below, and in a form satisfactory to the City Solicitor, to secure performance of the following conditions, including any associated securities/letters of credit:

2. To provide two car-share spaces at an accessible and visible location, demonstrated by inclusion on the approved site plan through the Site Plan Application No. SP-20-51 to the satisfaction of the Director of Development and Design, Planning & Building department.
3. Prior to the approval of the Site Plan processed through SP-20-51, a copy of an executed agreement with a car-share company to secure and provide for two car-share vehicles for a minimum period of two years should be submitted to the satisfaction of the Director of Infrastructure Planning & Engineering Services, Transportation & Works department.
4. To confirm that a pre-loaded Presto Card with a minimum amount of \$ 250 per condominium unit was provided to each unit owner at the time of closing, including supporting documentation, satisfactory to the Director of Infrastructure Planning & Engineering Services, Transportation & Works department.

4.16 A414/20

130 ANGELENE ST (WARD 1)

LU XINGYI

The Secretary – Treasurer noted the comments received from:

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

One area resident appeared before the Committee and expressed concerns for the 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 nine written submissions and 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.

DECISIONS

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

MOVED BY:	J. Page	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

1. A gross floor area of 326.00 m² whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 297.15 m² in this instance;
2. An encroachment of a porch into the front yard of 2.08m whereas By-law 0225-2007, as amended, permits a maximum encroachment of a porch into the front yard of 1.60m in this instance; and
3. A building height measured to the eaves of 6.90m whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m in this instance.

5. OTHER BUSINESS

6. ADJOURNMENT