

Location: VIRTUAL HEARING
Hearing: APRIL 8, 2021 AT 3:00 P.M.

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

NEW APPLICATIONS (CONSENT)

B-16/21	AMACON DEVELOPMENT (CITY CENTRE) CORP	4130 PARKSIDE VILLAGE DR	4	Approved (AC)
B-17/21 A-97/21 A-98/21	2728095 ONTARIO INC	960 MEADOW WOOD RD	2	Approved (AC)
B-18/21	NEZAR FREENY & CASHCOW HOLDING INC	1434 CAWTHRA RD	1	Deferred
B-19/21 A-104/21 A-105/21	MUHAMMAD ASIF	17 BEN MACHREE DR	1	Approved (AC)

NEW APPLICATIONS (MINOR VARIANCE)

A-113/21	KAREN & DEAN WOODMAN	3654 EAST PARK CRT	8	Approved (AC)
A-114/21	NAM INTERNATIONAL INC.	35 KING ST. E.	7	
A-116/21	BRYAN AND BETH BUTCHER	43 ORIOLE AVE	1	Approved (AA)

DEFERRED FILES (MINOR VARIANCE)

A-394/20	GREYCAN 6 PROPERTIES GP INC C/O PANATTONI DEVELOPMENT CO	1330 EGLINTON AVE E	3	Approved (AA)
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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 **4130 Parkside Village Drive**.
Date of Hearing on Thursday April 8, 2021
Date Decision Signed by the Committee April 15, 2021

The hearing commenced at approximately 3:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:04p.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 115m (377ft) and an area of approximately 1.05ha (2.59ac).

D. Hunwicks, 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 17, 2021)
- City of Mississauga, Transportation and Works Department (dated March 17, 2021)
- City of Mississauga, Community Services Department, Park Planning (dated March 17, 2021)
- Region of Peel (dated March 17, 2021)
- Bell Canada, Right-of-Way (dated March 17, 2021)

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.

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

DECISION

Committee has taken into consideration 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. George

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

To sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 115m and an area of approximately 1.05ha.

Committee Decision dated at the City of Mississauga on April 15, 2021

<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 April 15, 2021

"D. RUSNOV"

DIANA RUSNOV – CITY – CLERK

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: April 16, 2021

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 May 6, 2021

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 April 16, 2022

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

SHOULD THE COMMITTEE GRANT A PROVISIONAL CONSENT, THE FOLLOWING IS A LIST OF THE RECOMMENDED CONDITIONS TO BE ATTACHED TO THE DECISION AND THESE CONDITIONS MAY BE REVISED BY THE COMMITTEE AT THE PUBLIC MEETING.

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated March 31, 2021.
5. A letter shall be received from the Region of Peel, Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated March 31, 2021.

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

Transportation and Works Comments

Information submitted with this Consent application indicates that the intent is to create a new lot and if required establish any easement(s). Private easements may have to be established to ensure functionality between the severed and residual lands to facilitate any pedestrian/vehicular circulation, servicing requirements (storm, sanitary and water services), construction requirements, etc.

The city is currently processing a Site Plan Application for the retained parcel, reference SP 18-149 for the construction of two residential towers, to date approval has not been issued for this Site Plan Application. There was a Subdivision Agreement under T-04001 PH3 which has been registered and there is currently a lifting of the 'H' Application ('H'OZ 19 001) for the removal of the 'H' Holding Zone Category on this property. For the severed lands the city has recently reviewed a DARC application, reference DARC 20-232.

It should be acknowledged that a condition of SP 18-149 requires that an interconnection through the drive aisles to facilitate a Public Pedestrian and Vehicular Access Easement in favor of the City of Mississauga is required. The Public Easement is to provide an interconnection between Parkside Village Drive and the future Square One Drive. The width of the easement is to be consistent with the condo road abutting the sidewalk.

In view of the above, and should Committee see merit in the subject applications we provide the following comments for the Committee's consideration:

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

1. Site Plans/Servicing Plans/43R-Plans

Prior to the issuance of final consent the applicant/owner will be required to provide a Site Plan, Servicing Plan and 43R-Plan for our review. The requested information will be reviewed to determine if any private easements would be required between the severed and residual lands.

2. Required Easement

Upon the review of Item A1 and the confirmation of any required easements, the applicant/owner will be required to provide a letter or schedule prepared by the applicant's Solicitor which would specifically describe the new private easement(s) to be established. It should also be noted that any documentation received will be forwarded as an attachment to our clearance memo to the Committee of Adjustment so that any new proposed private easement can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

3. 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

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

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

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

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Region of Peel Comments

Development Engineering: Bernadette Sniatenchuk (905) 791-7800 x8589

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements.

Condition: Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.

Comments Prepared by: Diana Guida, Junior Planner

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 **960 Meadow Wood Road.**

Date of Hearing on Thursday April 8, 2021

Date Decision Signed by the Committee April 15, 2021

The hearing commenced at approximately 3:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:05p.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 17.27m (56.66ft) and an area of approximately 1,312.0sq.m (14,122.3sq.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 31, 2021)
- City of Mississauga, Transportation and Works Department (dated March 31, 2021)
- City of Mississauga, Community Services Department, Park Planning Division (dated March 31, 2021)
- City of Mississauga, Community Services Department, Culture Division (dated March 31, 2021)
- Region of Peel (dated March 31, 2021)
- Bell Canada, Right-of-Way (dated March 31, 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from three area residents expressing objections for 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.

DECISION

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

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

To sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 17.27m and an area of approximately 1,312.0sq.m.

CONDITIONS:

1. The variance application approved under File(s) A97.21 & A98.21 must be finalized

Committee Decision dated at the City of Mississauga on April 15, 2021

<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 April 15, 2021

"D. RUSNOV"

DIANA RUSNOV – CITY – CLERK

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: April 16, 2021

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 May 6, 2021

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 April 16, 2022

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

SHOULD THE COMMITTEE GRANT A PROVISIONAL CONSENT, THE FOLLOWING IS A LIST OF THE RECOMMENDED CONDITIONS TO BE ATTACHED TO THE DECISION AND THESE CONDITIONS MAY BE REVISED BY THE COMMITTEE AT THE PUBLIC MEETING.

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 (A97.21 & A98.21).
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 31, 2021.
5. A letter shall be received from the City of Mississauga, Community Services Department, Culture Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated March 31, 2021.

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.

2. Overall Site Servicing Plan

We request that the applicant submit a Site Servicing Plan prepared by a Consulting Engineer for this department's review/approval. The Site Servicing Plan is to confirm that all the necessary municipal services can be provided for the dwellings to be constructed on the subject lands.

3. 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.

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

2. Servicing

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

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

The applicant will be required to apply for Access Modification Permits prior to Site Plan Approval and/or Building Permit Issuance.

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

4. Storm Sewer Outlet

The applicant is advised that there is no storm sewer system available in front of the proposed lot on Meadow Wood Road. In this regard, we advise that all dwellings to be constructed on the subject lands will require a sump pump to discharge the weeping tile to grade. 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 meter above the seasonal groundwater elevation. The owner is advised that the City has no obligations to address any concerns related to the operation of private sump pump systems.

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 17/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

Heritage

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. The proponent shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal and documenting, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Heritage, Sport, Tourism, and Culture Industries confirming that all archaeological resource concerns have met licensing and resource conservation requirements. Letters to this effect from said Ministry corresponding to each archaeological assessment report and activity are required to be submitted to the Culture Division for review. This should be a condition of approval if the proposal is approved.

Comments Prepared by: P. Wubbenhorst, Heritage Planner

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 **960 Meadow Wood Road**.
Date of Hearing on Thursday April 8, 2021
Date Decision Signed by the Committee April 15, 2021

The hearing commenced at approximately 3:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:05p.m.

APPLICATION DETAILS

A minor variance is requested for the Severed lands (A97/21) proposing a lot frontage of 17.27m (approx. 56.66ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 18.00m (approx. 59.06ft) 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 31, 2021)
- City of Mississauga, Transportation and Works Department (dated March 31, 2021)
- City of Mississauga, Community Services Department, Park Planning Division (dated March 31, 2021)
- City of Mississauga, Community Services Department, Culture Division (dated March 31, 2021)
- Region of Peel (dated March 31, 2021)
- Bell Canada, Right-of-Way (dated March 31, 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from three area residents expressing objections 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



MISSISSAUGA

File: "A" 97/21

WARD 2

the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

MOVED BY: D. Kennedy CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITION:

A lot frontage of 17.27m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 18.00m in this instance.

CONDITION:

1. Variance(s) approved under file(s) A97.21 & A98.21 shall lapse if the consent application under file is not finalized within the time prescribed by legislation.

Committee Decision dated at the City of Mississauga on April 15, 2021.

<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 April 15, 2021

"D. RUSNOV"

DIANA RUSNOV – CITY – CLERK

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 **May 5, 2021**

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 **960 Meadow Wood Road**.
Date of Hearing on Thursday April 8, 2021
Date Decision Signed by the Committee April 15, 2021

The hearing commenced at approximately 3:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:05p.m.

APPLICATION DETAILS

A minor variance is requested for the Retained lands (A98/21) proposing a lot frontage of 17.27m (approx. 56.66ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 18.00m (approx. 59.06ft) 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 31, 2021)
- City of Mississauga, Transportation and Works Department (dated March 31, 2021)
- City of Mississauga, Community Services Department, Park Planning Division (dated March 31, 2021)
- City of Mississauga, Community Services Department, Culture Division (dated March 31, 2021)
- Region of Peel (dated March 31, 2021)
- Bell Canada, Right-of-Way (dated March 31, 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from three area residents expressing objections 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



MISSISSAUGA

File: "A" 98/21

WARD 2

the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

MOVED BY: D. Kennedy CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITION:

A lot frontage of 17.27m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 18.00m in this instance.

CONDITION:

1. Variance(s) approved under file(s) A97.21 & A98.21 shall lapse if the consent application under file is not finalized within the time prescribed by legislation.

Committee Decision dated at the City of Mississauga on April 15, 2021.

<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 April 15, 2021

"D. RUSNOV"

DIANA RUSNOV – CITY – CLERK

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 **May 5, 2021**

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 53 of The Planning Act R.S.O. 1990, C.P.13, as amended.

Application for the property located at **17 Ben Machree Drive.**

Date of Hearing on Thursday April 8, 2021

Date Decision Signed by the Committee April 15, 2021

The hearing commenced at approximately 3:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:13p.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 11.43m (37.50ft) and an area of approximately 557.43q.m (6,000.13sq.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 31, 2021)
- City of Mississauga, Transportation and Works Department (dated March 31, 2021)
- City of Mississauga, Community Services Department, Culture Division (dated March 31, 2021)
- City of Mississauga, Community Services Department, Park Planning (dated March 31, 2021)
- Region of Peel (dated March 31, 2021)
- Bell Canada, Right-of-Way (dated March 31, 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

Thirteen area residents appeared before the Committee and objected the application. Concerns included, application not in character with the neighbourhood.

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

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

DECISION

Committee has taken into consideration, on balance, any and all submissions made before its decision including sixteen written submissions, and thirteen 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. Kennedy

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

To sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 11.43m and an area of approximately 557.43q.m.

CONDITIONS:

1. The variance application approved under File(s) A104.21 & A105.21 must be finalized.

Committee Decision dated at the City of Mississauga on April 15, 2021

<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. 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 April 15, 2021

"D. RUSNOV"

DIANA RUSNOV – CITY – CLERK

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: April 16, 2021

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 May 6, 2021

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 April 16, 2022

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

SHOULD THE COMMITTEE GRANT A PROVISIONAL CONSENT, THE FOLLOWING IS A LIST OF THE RECOMMENDED CONDITIONS TO BE ATTACHED TO THE DECISION AND THESE CONDITIONS MAY BE REVISED BY THE COMMITTEE AT THE PUBLIC MEETING.

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 (A104.21 & A105.21).
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 31, 2021.
5. A letter shall be received from the City of Mississauga, Community Services Department, Culture Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated March 31, 2021.
6. A letter shall be received from the City of Mississauga, Community Services Department, Culture Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated March 31, 2021.
7. A letter shall be received from Bell Canada, Right-of-way, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated March 31, 2021.

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.

2. Overall Site Servicing Plan

We request that the applicant submit a Site Servicing Plan prepared by a Consulting Engineer for this department's review/approval. The Site Servicing Plan is to confirm that all the necessary municipal services can be provided for the dwellings to be constructed on the subject lands.

3. 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.

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

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

The applicant will be required to apply for Access Modification Permits prior to Site Plan Approval and/or Building Permit Issuance.

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

4. Storm Sewer Outlet

The applicant is advised that there is no storm sewer system available in front of the proposed lot on Ben Machree Drive. In this regard, we advise that all dwellings to be constructed on the subject lands will require a sump pump to discharge the weeping tile to grade. 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 meter above the seasonal groundwater elevation. The owner is advised that the City has no obligations to address any concerns related to the operation of private sump pump systems.

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 19/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

Parks, Forestry & Environment

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

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

1. The applicant shall provide a cash contribution of \$1,214.24 for planting of two (2) street trees on Ben Machree Drive. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges 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. Please contact Jim Greenfield regarding the Covid-19 interim payment process.

2. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email jim.greenfield@mississauga.ca.

Comments Prepared by: Jim Greenfield, Park Planner

Heritage

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. The proponent shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal and documenting, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Heritage, Sport, Tourism, and Culture Industries confirming that all archaeological resource concerns have met licensing and resource conservation requirements. Letters to this effect from said Ministry corresponding to each archaeological assessment report and activity are required to be submitted to the Culture Division for review. This should be a condition of approval if the proposal is approved.

Comments Prepared by: P. Wubbenhorst, Heritage Planner

Bell Canada

Subsequent to review of the Severance Application by our local Engineering Department it has been identified that Bell Canada will require a transfer of easement over these lands, to protect existing rear-lot aerial facilities, supply service to the properties and to maintain service in the area. According to our records, Bell has aerial cable that runs parallel to the northeast property boundary at 17 BEN MACHREE DR and is found approximately 0.6 m from the rear lot boundary. We request the easement be the full length of the facilities, as shown on the attached sketch.

Bell Canada would like to confirm that a blanket easement over the lands or a 3.0m wide corridor to be measured 1.5m on either side of the aerial cable, then to extend from the pole to a minimum of 1.0m past any anchor installation to be measured 0.5m on either side of the guy as can be accommodated would satisfy our needs.

Since the easement is necessary in order to provide and maintain service to this area, all costs associated with this transaction is the responsibility of the landowner. Compensation should be set to the nominal amount of \$2.00 for the acquisition of these rights. Additionally, Bell Canada requires separate, registered postponements for any mortgages and certification of title.

We hope this proposal meets with your approval and request a copy of the Committee of Adjustments decision. We look forward to the owners' Solicitor contacting us with a draft reference plan and



File: "B" 19/21
WARD 1

accompanying draft easement documents for our approval prior to registration, along with an acknowledgement and direction for our execution.

If you have any questions or concerns, please feel free to contact me.

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 **17 Ben Machree Drive**.
Date of Hearing on Thursday April 8, 2021
Date Decision Signed by the Committee April 15, 2021

The hearing commenced at approximately 3:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:13p.m.

APPLICATION DETAILS

A minor variance is requested for the Severed Lands (A104/21) proposing a lot frontage of 11.43m (approx. 37.50ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 12.00m (approx. 39.37ft) 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 31, 2021)
- City of Mississauga, Transportation and Works Department (dated March 31, 2021)
- City of Mississauga, Community Services Department, Culture Division (dated March 31, 2021)
- City of Mississauga, Community Services Department, Park Planning (dated March 31, 2021)
- Region of Peel (dated March 31, 2021)
- Bell Canada, Right-of-Way (dated March 31, 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

Thirteen area residents appeared before the Committee and objected the application. Concerns included, application not in character with the neighbourhood.

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 sixteen written submissions and thirteen 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 CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITIONS:

A lot frontage of 11.43m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 12.00m in this instance.

CONDITIONS:

1. Variance(s) approved under file(s) A104.21 & A105.21 shall lapse if the consent application under file B19.21 is not finalized within the time prescribed by legislation.
2. That the applicant enter into a consent development agreement to the satisfaction of the Secretary Treasurer of the Committee of Adjustment which agreement shall include a requirement that the property be subject to approval of a site plan application that is to be submitted to the City's Planning and Building Department and that the Department is satisfied with the plans and drawings addressing among other things: neighbourhood context, and tree preservation.

Committee Decision dated at the City of Mississauga on April 15, 2021.

<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. 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 April 15, 2021

"D. RUSNOV"

DIANA RUSNOV – CITY – CLERK

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 **May 5, 2021**

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 **17 Ben Machree Drive**.
Date of Hearing on Thursday April 8, 2021
Date Decision Signed by the Committee April 15, 2021

The hearing commenced at approximately 3:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:13p.m.

APPLICATION DETAILS

A minor variance is requested for the Retained Lands (A105/21) proposing a lot frontage of 11.43m (approx. 37.50ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 12.00m (approx. 39.37ft) 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 31, 2021)
- City of Mississauga, Transportation and Works Department (dated March 31, 2021)
- City of Mississauga, Community Services Department, Culture Division (dated March 31, 2021)
- City of Mississauga, Community Services Department, Park Planning (dated March 31, 2021)
- Region of Peel (dated March 31, 2021)
- Bell Canada, Right-of-Way (dated March 31, 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

Thirteen area residents appeared before the Committee and objected the application. Concerns included, application not in character with the neighbourhood.

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 sixteen written submissions and thirteen 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 CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITIONS:

A lot frontage of 11.43m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 12.00m in this instance.

CONDITIONS:

1. Variance(s) approved under file(s) A104.21 & A105.21 shall lapse if the consent application under file B19.21 is not finalized within the time prescribed by legislation.
2. That the applicant enter into a consent development agreement to the satisfaction of the Secretary Treasurer of the Committee of Adjustment which agreement shall include a requirement that the property be subject to approval of a site plan application that is to be submitted to the City's Planning and Building Department and that the Department is satisfied with the plans and drawings addressing among other things: neighbourhood context, and tree preservation.

Committee Decision dated at the City of Mississauga on April 15, 2021.

<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. KWAIST"</u> J. KWAIST
<u>"D. COOK"</u> D. COOK	

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"D. RUSNOV"

DIANA RUSNOV – CITY – CLERK

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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 **May 5, 2021**

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 **3654 East Park Court**.
Date of Hearing on Thursday April 8, 2021
Date Decision Signed by the Committee April 15, 2021

The hearing commenced at approximately 3:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:34p.m.

APPLICATION DETAILS

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

1. An accessory structure (Gazebo) area of 26.77sq.m (approx. 288.15sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq.m (approx. 215.28sq.ft) in this instance;
2. A side yard to an accessory structure (Gazebo) of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard to an accessory structure of 1.20m (approx. 3.94ft) in this instance;
3. A side yard to an accessory structure in a side yard (Pool Storage Shed) of 1.38m (approx. 4.53ft) whereas By-law 0225-2007, as amended, requires a minimum side yard to an accessory structure in a side yard of 1.50m (approx. 4.92ft) in this instance;
4. A swimming pool in a tree preservation area whereas By-law 0225-2007, as amended, does not permit a swimming pool in a tree preservation area in this instance;
5. A partial accessory structure (Gazebo) in a tree preservation area whereas By-law 0225-2007, as amended, does not permit an accessory structure in a tree preservation area in this instance; and
6. A partial accessory structure and partial swimming pool within a tree preservation area whereas By-law 0225-2007, as amended, requires a minimum rear yard to a tree preservation area of 7.50m (approx. 24.61ft) 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 31, 2021)
- City of Mississauga, Transportation and Works Department (dated March 31, 2021)
- Region of Peel (dated March 31, 2021)

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 CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITIONS:

To allow the construction of a pool and accessory structures on the subject property proposing:

1. An accessory structure (Gazebo) area of 26.77sq.m whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq.m in this instance;
2. A side yard to an accessory structure (Gazebo) of 0.61m whereas By-law 0225-2007, as amended, requires a minimum side yard to an accessory structure of 1.20m in this instance;
3. A side yard to an accessory structure in a side yard (Pool Storage Shed) of 1.38m whereas By-law 0225-2007, as amended, requires a minimum side yard to an accessory structure in a side yard of 1.50m in this instance;
4. A swimming pool in a tree preservation area whereas By-law 0225-2007, as amended, does not permit a swimming pool in a tree preservation area in this instance;
5. A partial accessory structure (Gazebo) in a tree preservation area whereas By-law 0225-2007, as amended, does not permit an accessory structure in a tree preservation area in this instance; and
6. A partial accessory structure and partial swimming pool within a tree preservation area whereas By-law 0225-2007, as amended, requires a minimum rear yard to a tree preservation area of 7.50m in this instance.

CONDITION(S):

1. A letter shall be received from the City of Mississauga, Community Services Department, Park Planning Division, indicating satisfactory arrangements have been made with respect to the lack of trees in the rear yard.

Committee Decision dated at the City of Mississauga on April 15, 2021.

<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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"D. RUSNOV"

DIANA RUSNOV – CITY – CLERK

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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 **May 5, 2021**

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 **35 King Street East Unit 20**.
Date of Hearing on Thursday April 8, 2021
Date Decision Signed by the Committee April 15, 2021

The hearing commenced at approximately 3:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:47p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow a take-out restaurant in Unit 20 of the subject property within 60m of a Residential zone whereas By-law 0225-2007, as amended, requires a minimum 60m buffer from a take-out restaurant to a Residential zone in this instance.

H. Kaghzchi, 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 31, 2021)
- City of Mississauga, Transportation and Works Department (dated March 31, 2021)
- Region of Peel (dated March 31, 2021)
- Credit Valley Region Conservation (dated March 30, 2021)

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. Kennedy CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow a take-out restaurant in Unit 20 of the subject property within 60m of a Residential zone whereas By-law 0225-2007, as amended, requires a minimum 60m buffer from a take-out restaurant to a Residential zone in this instance.

Committee Decision dated at the City of Mississauga on April 15, 2021.

<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. KWAIST"</u> J. KWAIST
<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 **May 5, 2021**

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 **43 Oriole Avenue**.
Date of Hearing on Thursday April 8, 2021
Date Decision Signed by the Committee April 15, 2021

The hearing commenced at approximately 3:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:50p.m.

APPLICATION DETAILS

The applicant requests the Committee to allow the construction of an addition proposing:

1. An interior side yard measured to the garage of 1.24m (approx. 4.07ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the garage of 1.80m (approx. 5.91ft) in this instance; and
2. A combined width of side yards of 4.12m (approx. 13.52ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 4.93m (approx. 16.17ft) in this instance.

G. Barrett, 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 31, 2021)
- City of Mississauga, Transportation and Works Department (dated March 31, 2021)
- Region of Peel (dated March 31, 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A petition of support was received signed by 6 members of the public was received.

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.

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

MOVED BY: S. Patrizio CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow the construction of an addition proposing:

1. An interior side yard measured to the garage of 1.24m whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the garage of 1.80m in this instance; and
2. A combined width of side yards of 4.09m whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 4.93m in this instance.

Committee Decision dated at the City of Mississauga on April 15, 2021.

<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 April 15, 2021

"D. RUSNOV"

DIANA RUSNOV – CITY – CLERK

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 **May 5, 2021**

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 **1330 Eglinton Avenue East**.
Date of Hearing on Thursday April 8, 2021
Date Decision Signed by the Committee April 15, 2021

The hearing commenced at approximately 3:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:54p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow an indoor karting facility proposing 34 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 175 parking spaces in this instance.

C. Naylor, agent, attended and presented evidence and comment in support of the application.

BACKGROUND

On December 2, 2020, D. Naylor, agent, requested to defer the application to deal with traffic issues.

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

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated December 2, 2020)
- City of Mississauga, Transportation and Works Department (dated December 2, 2020)
- Region of Peel (dated December 2, 2020)
- The Ministry of Transportation (dated December 2, 2020)
- One letter of objection was received from an area business
- A petition of objection was received from 12 area businesses

BACKGROUND

On February 18, 2021, C. Naylor agent, requested to defer the application to meet with staff.

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

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated February 10, 2021)
- City of Mississauga, Transportation and Works Department (dated February 10, 2021)
- Region of Peel (dated February 10, 2021)

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated March 31, 2021)
- City of Mississauga, Transportation and Works Department (dated March 31, 2021)
- Region of Peel (dated March 31, 2021)

CORRESPONDENCE & DISCUSSION

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

One member of the public spoke requesting a deferral of 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 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 CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

Insufficient parking on-site of 329 spaces; whereas By-law 225-2007, as amended, requires a minimum of 457 spaces in this instance.

Committee Decision dated at the City of Mississauga on April 15, 2021.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
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