

Location: VIRTUAL HEARING
Hearing: APRIL 29, 2021 AT 1:00 P.M.

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

DEFERRED APPLICATIONS (CONSENT)

B-23/21 A-138/21 A-139/21	NATALIYA DEMCHUK	10 MISSISSAUGA RD N	1	Deferred
B-24/21 A-142/21	VICKY SCHMIDT	1379 & 1385 CLARKSON RD N	2	Approved (AC)
B-26/21 A-147/21 A-148/21	MICHAEL SADKOWSKI	1345 FESTAVON CRT	2	Refused
B-27/21	2206016 ONTARIO INC	2085 NORTH SHERIDAN WAY	2	Approved (AC)

NEW APPLICATIONS (MINOR VARIANCE)

A-143/21	JIANG LU	4272 GREYBROOK CRES	3	Approved (AA)
A-144/21	EMANUEL & MARA BENTO	2892 TRADEWIND DR	9	Approved (AA, ACP)
A-146/21	BARRY PIKE & COLLEEN CRAWFORD	1219 RAVINE DR	2	Approved (AA)
A-150/21	AMACON DEVELOPMENT (CITYCENTRE) CORP	430 SQUARE ONE DR & 4130 PARKSIDE VILLAGE DR.	4	Approved
A-151/21	PAUL & JULIE SEMAK	1388 BIRCHWOOD HEIGHTS DR	1	Approved (AA)
A-152/21	FRANK & RINA BATTAGLIA	803 PARKLAND AVE	2	Approved
A-154/21	ZEYAD & OLGA AZEM	2503 KING FORREST DR	8	Approved (AC)
A-156/21	RUKSANA & AZEEM PATEL	3202 HARRIS CRES	9	Approved
A-157/21	ISILDO MANUEL & SANDRA RAPOSO	6985 SECOND LINE WEST	11	Deferred

DEFERRED FILES (MINOR VARIANCE)

A-34/21	LIU SHENGHAO	765 BEXHILL RD	2	Approved ACP
A-362/19	ABSOLUTE BUILDING SOLUTIONS INC	16 JAMES ST & 2 WILLIAM ST.	11	Refused

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 **1379 & 1385 Clarkson Road North**
Date of Hearing on Thursday April 29, 2021
Date Decision Signed by the Committee May 6, 2021

The hearing commenced at approximately 1:02.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:06p.m.

APPLICATION DETAILS

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 18.27m (59.94ft) and an area of approximately 1,319sq.m (14,198sq.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 April 21, 2021)
- City of Mississauga, Transportation and Works Department (dated April 21, 2021)
- City of Mississauga, Community Services Department, Culture Division (dated April 21, 2021)
- City of Mississauga, Community Services Department, Park Planning (dated April 21, 2021)
- Region of Peel (dated April 21, 2021)
- Credit Valley Conservation (dated April 20, 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

Two area residents appeared before the Committee and objected the application. Objections included lot frontage not in character of 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 one written submission, 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.

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

MOVED BY: S. Patrizio

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

To sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 18.27m and an area of approximately 1,319sq.m.

CONDITIONS:

1. The variance application approved under File(s) A142.21 must be finalized.

Committee Decision dated at the City of Mississauga on May 6, 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 May 6, 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: May 7, 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 27, 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 May 7, 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

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 (A142.21).
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 April 21, 2021.
5. A letter shall be received from the City of Mississauga, Community Services Department, Park Planning Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 21, 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 April 21, 2021.

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

Transportation and Works Comments

This Department has reviewed the request to create a new parcel of land for residential purposes fronting onto Clarkson Road North. 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.

2. Municipal Address Requirement

Prior to the issuance of final consent, satisfactory arrangements are to be made with the 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

3. Dedication of Clarkson Road North Widening

The Owner will be required to gratuitously dedicate a road allowance widening towards the ultimate 22.0m right of way for Clarkson Road North to the City of Mississauga as identified in the Official Plan. The applicant's surveyor is to prepare and submit two draft reference plans (detailing the required lands) to this section for review and approval. Following this approval, the applicant's surveyor should deposit the accepted draft reference plan and forward a copy of the registered plan to the City's Legal Services Section to finalize the process. This condition will be cleared upon receipt of confirmation from Legal Services identifying that the transfer has taken place and associated fees have been paid.

The dimensions related to right-of-way widths and required widenings are to be verified by the City's O.L.S., Al Jeraj at 905-615-3200 ext. 5789.

This condition will be cleared upon receipt of confirmation from Legal Services identifying that the transfer has taken place and associated fees have been paid.

Should the applicant require more information with regards to the above, please contact Lahini Senthil-kumaran from our Traffic Section at 905 615-3200 ext. 5798 or Lahini.Senthil-kumaran@mississauga.ca

4. Establishment of Top of Bank for Birchwood Creek and Easement Dedication

Satisfactory arrangements must be made with CVC in regards to the determining the top of bank of the Birchwood Creek and whether it is contained within the subject property. Upon confirmation that the top of

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

bank is contained within the subject lot, the applicant shall dedicate gratuitously and easement for all lands below the top of bank. The Community Services Department and Credit Valley Conservation Authority are to stake out the top-of-bank and natural features in order to establish the limits of the top of bank lands to be included in the easement. We note that all lands that are within the easement dedicated to The City of Mississauga are to be free and clear of any existing structures. Should no portion of the subject lands fall below the top of bank of the Birchwood Creek, this condition will be deemed to be satisfied for the purposes of clearing this condition solely.

5. Required Draft 'R' Plan

For Item A3 above and should Item A4 be required, the applicant/owner will be required to provide a draft 'R' Plan and a letter/schedule prepared by the applicant's solicitor which would specifically describe the Clarkson Road widening and the established top of bank.

The template is provided on the City's website under Terms of Reference:
<http://www.mississauga.ca/portal/residents/terms-of-reference>

6. Environmental Site Screening Questionnaire

As per the land dedication requirement, an Environmental Site Screening Questionnaire and Declaration (ESSQD) must be filled out for the property, signed and dated by the owner, and witnessed by a commissioner of oaths and submitted to the Transportation and Works Department for review.

For any clarification or questions regarding this requirement please contact Valeriya Danylova at x5930.

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

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

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

4. Storm Sewer Outlet

The storm sewer outlet for these lands is the existing 525mm diameter storm sewer system located on Clarkson Road North.

Please note that in cases of a high groundwater table where a sump pump could run continuously if a sump pump was implemented, the applicants should consider raising the basement elevation to be at least 1.0 metre above the groundwater level. It is the owner's responsibility to satisfy themselves with these conditions as the City has no obligation to address any concerns with the operating conditions of private sump pump systems.

For further information please contact Ghazwan Yousif at (905) 615-3200 ext. 3526.

5. CVC Approval

This site is situated within the Credit Valley Conservation regulated area. Written approval for the proposal is to be obtained from CVC.

We are noting that any Transportation and Works Department concerns/requirements for the minor variance application for this property will be addressed under Consent Application 'B' 24/21.

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 tree protection securities for public and private trees as part of a future site plan control application.
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

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

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 the severance approval.

Comments Prepared by: Andrew Douglas, Heritage Analyst

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 **1379 & 1385 Clarkson Road North.**

Date of Hearing on Thursday April 29, 2021

Date Decision Signed by the Committee May 6, 2021

The hearing commenced at approximately 1:02p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:06p.m.

APPLICATION DETAILS

A minor variance is requested for the Severed Lands (A142/21) proposing a lot frontage of 18.27m (approx. 59.94ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) 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 April 21, 2021)
- City of Mississauga, Transportation and Works Department (dated April 21, 2021)
- City of Mississauga, Community Services Department, Culture Division (dated April 21, 2021)
- City of Mississauga, Community Services Department, Park Planning (dated April 21, 2021)
- Region of Peel (dated April 21, 2021)
- Credit Valley Conservation (dated April 20, 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

Two area residents appeared before the Committee and objected the application. Objections included lot frontage not in character of the neighbourhood.

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

DECISION

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

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:

For the Severed Lands (A142/21) a lot frontage of 18.27m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m in this instance.

CONDITION(S):

1. Variance(s) approved under file(s) A142.21 shall lapse if the consent application under file B24.21 is not finalized within the time prescribed by legislation.

Committee Decision dated at the City of Mississauga on May 6, 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 May 6, 2021

"D. RUSNOV"

DIANA RUSNOV – CITY – CLERK

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please call 905-615-3200 ext. 2408
or email

Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **May 26, 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 **1345 Festavon Court.**

Date of Hearing on Thursday April 29, 2021

Date Decision Signed by the Committee May 6, 2021

The hearing commenced at approximately 1:02.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:24p.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 has a frontage of approximately 9.30m (30.51ft) and an area of approximately 676.84sq.m (7285.46sq.ft).

M. Sadkowski, 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 April 21, 2021)
- City of Mississauga, Transportation and Works Department (dated April 21, 2021)
- City of Mississauga, Community Services Department, Culture Division (dated April 21, 2021)
- City of Mississauga, Community Services Department, Park Planning (dated April 21, 2021)
- Region of Peel (dated April 21, 2021)
- Credit Valley Conservation (dated April 21 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from seven area residents expressing objections for the subject application.
- A memorandum was received from Ward Councillor Ras expressing concerns for the application.

Two area residents appeared before the Committee and objected the application. Their objections included; variances are not minor in nature and the character of the neighbourhood was not being maintained.

One area resident appeared before the Committee and asked questions regarding the front yard setback of the proposed dwelling.

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

The applicant wished to amend the heritage planning condition, however the Committee did not grant the request.

DECISION

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

The Committee, having considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, is not satisfied that the application will result in 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, as amended, resolves to refuse to grant consent as the application did not satisfy the requirements.

Accordingly, the Committee resolves to refuse the request.

MOVED BY: W. Shahrukh

The Decision of the Committee is:

APPLICATION REFUSED:

To sever a parcel of land for the creation of a new lot. The parcel has a frontage of approximately 9.30m and an area of approximately 676.84sq.m.

Committee Decision dated at the City of Mississauga on May 6, 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 May 6, 2021

"D. RUSNOV"

DIANA RUSNOV – CITY – CLERK

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or email

Committee.Adjustment@mississauga.ca

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

Date of Mailing: May 7, 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 27, 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 May 7, 2022

See "SUMMARY OF APPEAL PROCEDURES" attached.

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 **1345 Festavon Court**.
Date of Hearing on Thursday April 29, 2021
Date Decision Signed by the Committee May 6, 2021

The hearing commenced at approximately 1:02p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:05p.m.

APPLICATION DETAILS

A minor variance is requested for the severed lands of application B26/21 to allow the construction of a new house proposing:

1. A lot area of 676.84sq.m (approx. 7285.46sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 695.00sq.m (approx. 7480.92sq.ft) in this instance;
2. A lot frontage of 9.30m (approx. 30.51ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 18.00m (approx. 59.06ft) in this instance;
3. A side yard (easterly) of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance; and
4. An side yard (westerly) of 1.83m (approx. 6.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance.

M. Sadkowski, 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 April 21, 2021)
- City of Mississauga, Transportation and Works Department (dated April 21, 2021)
- City of Mississauga, Community Services Department, Culture Division (dated April 21, 2021)
- City of Mississauga, Community Services Department, Park Planning (dated April 21, 2021)
- Region of Peel (dated April 21, 2021)
- Credit Valley Conservation (dated April 21 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from seven area resident expressing objections for the subject application.
- A memorandum was received from Ward Councillor Ras expressing concerns for the application.

Two area residents appeared before the Committee and objected the application. Objection included variances are not minor and character of the neighbourhood not being maintained.

One area resident appeared before the Committee and asked questions regarding the front yard setback of the proposed dwelling.

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 eight written submissions and three oral submissions. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is 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.

Accordingly, the Committee resolves to refuse the request.

MOVED BY: S. Patrizio CARRIED

The Decision of the Committee is:

APPLICATION REFUSED:

For the severed lands of application B26/21 to allow the construction of a new house proposing:

1. A lot area of 676.84sq.m whereas By-law 0225-2007, as amended, requires a minimum lot area of 695.00sq.m in this instance;
2. A lot frontage of 9.30m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 18.00m in this instance;
3. A side yard (easterly) of 1.22m whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m in this instance; and
4. An side yard (westerly) of 1.83m whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m in this instance.

Committee Decision dated at the City of Mississauga on May 6, 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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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 26, 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.

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Application for the property located at **1345 Festavon Court**.
Date of Hearing on Thursday April 29, 2021
Date Decision Signed by the Committee May 6, 2021

The hearing commenced at approximately 1:02p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:05p.m.

APPLICATION DETAILS

A minor variance is requested for the retained lands of application B26/21 to allow the construction of a new house proposing:

1. A lot area of 652.13sq.m (approx. 7019.47sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 695.00sq.m (approx. 7480.92sq.ft) in this instance;
2. A lot frontage of 9.30m (approx. 30.51ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 18.00m (approx. 59.06ft) in this instance;
3. A side yard (easterly) of 1.83m (approx. 6.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance; and
4. An side yard (westerly) of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

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- City of Mississauga, Transportation and Works Department (dated April 21, 2021)
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CORRESPONDENCE & DISCUSSION

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- Correspondence was received from seven area resident expressing objections for the subject application.
- A memorandum was received from Ward Councillor Ras expressing concerns for the application.

Two area residents appeared before the Committee and objected the application. Objection included variances are not minor and character of the neighbourhood not being maintained.

One area resident appeared before the Committee and asked questions regarding the front yard setback of the proposed dwelling.

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 eight written submissions and three oral submissions. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is 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.

Accordingly, the Committee resolves to refuse the request.

MOVED BY: S. Patrizio CARRIED

The Decision of the Committee is:

APPLICATION REFUSED:

For the retained lands of application B26/21 to allow the construction of a new house proposing:

1. A lot area of 652.13sq.m whereas By-law 0225-2007, as amended, requires a minimum lot area of 695.00sq.m in this instance;
2. A lot frontage of 9.30m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 18.00m in this instance;
3. A side yard (easterly) of 1.83m whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m in this instance; and
4. An side yard (westerly) of 1.22m whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m in this instance.

Committee Decision dated at the City of Mississauga on May 6, 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 May 6, 2021

"D. RUSNOV"

DIANA RUSNOV – CITY – CLERK

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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 26, 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 **2085 North Sheridan Way**.
Date of Hearing on Thursday April 29, 2021
Date Decision Signed by the Committee May 6, 2021

The hearing commenced at approximately 1:02.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:52p.m.

APPLICATION DETAILS

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot and an easement. The parcel of land has a frontage of approximately 67.37m (221.03ft) and an area of approximately 7373.90sq.m (24192.59sq.ft).

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated April 21, 2021)
- City of Mississauga, Transportation and Works Department (dated April 21, 2021)
- City of Mississauga, Community Services Department, Park Planning (dated April 21, 2021)
- Region of Peel (dated April 21, 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 and an easement. The parcel of land has a frontage of approximately 67.37m and an area of approximately 7373.90sq.m.

Committee Decision dated at the City of Mississauga on May 6, 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 May 6, 2021

"D. RUSNOV"

DIANA RUSNOV – CITY – CLERK

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or email

Committee.Adjustment@mississauga.ca

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

Date of Mailing: May 7, 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 27, 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 May 7, 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

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 April 21, 2021.
5. A letter shall be received from the Region of Peel, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 21, 2021.

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

Transportation and Works Comments

This Department has no objections to the applicant's request to sever a parcel of land to create a new lot along with pedestrian and vehicular access easements. We note that the subject lands were previously before the Committee under Files 'B' 12/18 and B 73/19; however, not all conditions of approval were fulfilled and the consent applications lapsed.

Should Committee see merit in the applicant's current request, we are providing the following conditions/requirements to be imposed as conditions of approval, as they were not fulfilled under the previous applications:

A. Items Required Prior to the Issuance of Final Consent

1. Existing Easements

The applicant is to supply the necessary documentation/plans showing all of the existing easements on both the severed and residual lands along with a schedule indicating the purpose of the easement and to whom it is in favor of.

The severed land does not have frontage onto North Sheridan Way, Leanne Boulevard or Erin Mills Parkway. Should there be no existing easements for access, a private pedestrian and vehicular access easement in favour of the severed land will be required over the private driveway of the retained land to the North Sheridan Way and Leanne Boulevard accesses.

2. Required Easement(s) and Draft 'R' Plan

Upon the review of items A1 above, and the confirmation of the required easement(s), the applicant/owner will be required to provide a Draft 'R' Plan and a letter/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 with our clearance memo to the Committee of Adjustment Office in order that any new proposed private easement(s) can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

3. Road Widening on North Sheridan Way

The applicant is to gratuitously dedicate to the City of Mississauga a road allowance widening towards the ultimate 20.0 m right-of-way for North Sheridan Way as identified in the City's Official Plan. The dimensions related to right-of-way width and required widening are to be verified by the City's O.L.S., Al Jeraj at 905-615-3200 ext. 5789.

The applicant's surveyor is to prepare and submit two draft reference plans (detailing the required lands) to this section for review and approval. Following this approval, the applicant's surveyor should deposit the accepted draft reference plan and forward a copy of the registered plan to the City's Legal Services Section to finalize

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

the process. This condition will be cleared upon receipt of confirmation from Legal Services identifying that the transfer has taken place and associated fees have been paid.

Should the applicant require more information with regards to the above, please contact Lahini Senthilkumaran from our Traffic Section at 905 615-3200 ext. 5798.

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. Site Plan Approval

Any re-development of the subject lands will require the owner obtaining Site Plan Approval where any site specific conditions/requirements relating to detailed lot grading and drainage, servicing, access, etc. will be addressed.

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. 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.

4. Existing 0.3m Reserve on North Sheridan Way

The applicant is advised that there is an existing 0.3m reserve across the entrance on North Sheridan Way. The applicant is to make appropriate arrangements with MTO for lifting this reserve.

Comments Prepared by: John Salvino, Development Engineering Technologist

Region of Peel Comments

Consent Application: B-27/21

Traffic Development: Catherine Barnes (905) 791-7800 x7569

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

Please note that the Ministry of Transportation, Ontario (MTO) has jurisdiction within 800 metres from their ramp terminals, which this property falls under. Therefore, the Region of Peel will request that the MTO acquire the following lands and provide the Region of Peel with a copy of the transfer documents to confirm the land dedications to the MTO;

The Region requires the gratuitous dedication of lands to meet the Regional Official Plan requirement for Regional Road 1 (Erin Mills Parkway), which has a right-of-way of 45 metres, 22.5 metres from the centreline of the road allowance. Additional property over and above the Official Plan required within 245 metres of intersections to protect for the provision of but not limited to: utilities, sidewalks, multiuse pathways and transit bay/shelters, is 50.5 metres (25.25 metres from the centreline of the road allowance) for a single left-turn lane configuration;

The Region requires the gratuitous dedication of a 0.3m reserve behind the property line along Regional Road 1 (Erin Mills Parkway);

The Region requires that provisions be put in place by way of easements for interconnectivity between the two lots for access onto North Sheridan Way or Leanne Boulevard. No new accesses to Regional Road 1 (Erin Mills Parkway) will be permitted;

A draft reference plan will be required for our review comment prior to being deposited.

Should the committee see merit in this consent application, we request the following be included in the conditions of approval.

Condition: Satisfactory arrangement shall be made between the owner and the Region regarding land dedication and access configuration.

Development Engineering: Camila Marczuk (905) 791-7800 x8230

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.

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 **4272 Greybrook Crescent**.
Date of Hearing on Thursday April 29, 2021
Date Decision Signed by the Committee May 6, 2021

The hearing commenced at approximately 1:02p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:55p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the construction of a rear yard deck proposing a lot coverage of 38.40% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance.

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

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated April 21, 2021)
- City of Mississauga, Transportation and Works Department (dated April 21, 2021)
- City of Mississauga, Community Services Department, Park Planning (dated April 21, 2021)
- Region of Peel (dated April 21, 2021)
- Credit Valley Conservation (dated April 21, 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from one area resident expressing no objection for the subject application.
- A petition of support signed by 11 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 written submission and one petition. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

MOVED BY: W. Shahrukh CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow the construction of a rear yard deck proposing a lot coverage of 38.45% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance.

Committee Decision dated at the City of Mississauga on May 6, 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 May 6, 2021

"D. RUSNOV"

DIANA RUSNOV – CITY – CLERK

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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 26, 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 **2892 Tradewind Drive.**
Date of Hearing on Thursday April 29, 2021
Date Decision Signed by the Committee May 6, 2021

The hearing commenced at approximately 1:02p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:00p.m.

APPLICATION DETAILS

The applicant requests the Committee to allow the construction of a swimming pool proposing:

1. A setback measured from a U3 Zone (utility) to a stone patio of 5.00m (approx. 16.40ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a U3 Zone (utility) to a stone patio of 13.00m (approx. 42.65ft) in this instance; and
2. A setback measured from the intersection of the rear and side property line (north east corner) to a pool of 9.00m (approx. 29.53ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from the intersection of the rear and side property line (north east corner) to a pool of 13.00m (approx. 42.65ft) in this instance.

G. Heffron, 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 April 21, 2021)
- City of Mississauga, Transportation and Works Department (dated April 21, 2021)
- Region of Peel (dated April 21, 2021)

CORRESPONDENCE & DISCUSSION

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

One area residents spoke before the Committee and asked question regarding 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 one oral submissions. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the



File: "A" 144/21
WARD 9

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 SUBJECT TO CONDITIONS:

To allow the construction of a swimming pool proposing:

1. A setback measured from a U3 Zone (utility) to a stone patio of 5.00m whereas By-law 0225-2007, as amended, requires a minimum setback measured from a U3 Zone (utility) to a stone patio of 13.00m in this instance; and
2. A setback of 9m measured from the pool to the adjacent U3 – Utility zone; whereas By-law 0225-2007, as amended, requires a minimum setback of 13.00m for all buildings and structures and in-ground swimming pools to all lands zoned U-3 in this instance.

CONDITION(S):

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

Committee Decision dated at the City of Mississauga on May 6, 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 26, 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 **1219 Ravine Drive**.
Date of Hearing on Thursday April 29, 2021
Date Decision Signed by the Committee May 6, 2021

The hearing commenced at approximately 1:02p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:18p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow an accessory structure in the front yard whereas By-law 0225-2007, as amended, does not permit an accessory structure in the front yard in this instance.

J. Cogliati, 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 April 21, 2021)
- City of Mississauga, Transportation and Works Department (dated April 21, 2021)
- Region of Peel (dated April 21, 2021)
- Credit Valley Conservation (dated April 21, 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

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: J. Kwast CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow an accessory structure proposing:

1. An accessory structure in the front yard whereas By-law 0225-2007, as amended, does not permit an accessory structure in the front yard in this instance; and
2. Excessive floor area of an accessory structure. A maximum area of 20m² is permitted for each structure, whereas 43.80m² is proposed.

Committee Decision dated at the City of Mississauga on May 6, 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 May 6, 2021

"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 26, 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 **430 Square One Drive & 4130 Parkside Village Drive.**
Date of Hearing on Thursday April 29, 2021
Date Decision Signed by the Committee May 6, 2021

The hearing commenced at approximately 1:02p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:21p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to a reduction in required parking proposing a parking rate of 0.94 per residential unit whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 per residential unit in this instance.

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 April 21, 2021)
- City of Mississauga, Transportation and Works Department (dated April 21, 2021)
- City of Mississauga, Community Services Department, Park Planning (dated April 21, 2021)
- Region of Peel (dated April 21, 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. Cook CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

A reduction in required parking proposing a parking rate of 0.94 per residential unit whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 per residential unit in this instance.

Committee Decision dated at the City of Mississauga on May 6, 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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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 26, 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 **1388 Birchwood Heights Drive.**
Date of Hearing on Thursday April 29, 2021
Date Decision Signed by the Committee May 6, 2021

The hearing commenced at approximately 1:02p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:24p.m.

APPLICATION DETAILS

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

1. A combined width of side yards of 22% of the lot frontage (5.70m) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 27% of the lot frontage (7.00m) in this instance;
2. A side yard of 1.98m (approx. 6.50ft) measured to a proposed open framed rear deck whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) to a second storey in this instance; and
3. A garage projection of 2.87m (approx. 9.42ft) whereas By-law 0225-2007, as amended, does not permit a garage projection in this instance.

J. Wallace, 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 April 21, 2021)
- City of Mississauga, Transportation and Works Department (dated April 21, 2021)
- Region of Peel (dated April 21, 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

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: W. Shahrukh CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

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

1. A combined width of side yards of 22.73% of the lot frontage whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 27% of the lot frontage in this instance;
2. A side yard setback of 2.17m to the 2nd storey portion whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 2.41m in this instance;
3. A garage projection of 2.87m whereas By-law 0225-2007, as amended, does not permit a garage projection in this instance.

Committee Decision dated at the City of Mississauga on May 6, 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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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 26, 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 **803 Parkland Avenue**.
Date of Hearing on Thursday April 29, 2021
Date Decision Signed by the Committee May 6, 2021

The hearing commenced at approximately 1:02p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:27p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow the construction of an addition on the subject property proposing a combined width of side yards of 6.83m (approx. 22.41ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 7.40m (approx. 24.28ft) in this instance.

P. Pimentel, 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 April 21, 2021)
- City of Mississauga, Transportation and Works Department (dated April 21, 2021)
- City of Mississauga, Community Services Department, Park Planning (dated April 21, 2021)
- Region of Peel (dated April 21, 2021)

CORRESPONDENCE & DISCUSSION

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

DECISION

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

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

MOVED BY: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of an addition on the subject property proposing a combined width of side yards of 6.83m whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 7.40m in this instance.

Committee Decision dated at the City of Mississauga on May 6, 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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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 26, 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 **2503 King Forrest Drive**.
Date of Hearing on Thursday April 29, 2021
Date Decision Signed by the Committee May 6, 2021

The hearing commenced at approximately 1:02p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:29p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow an inground pool in the exterior side yard whereas By-law 0225-2007, as amended, does not permit an inground pool in the exterior side yard in this instance.

Z. Azem, owner, attended and presented evidence and comment in support of the application.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated April 21, 2021)
- City of Mississauga, Transportation and Works Department (dated April 21, 2021)
- Region of Peel (dated April 21, 2021)

CORRESPONDENCE & DISCUSSION

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

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

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: J. Kwast CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITION(S):

To allow an inground pool in the exterior side yard whereas By-law 0225-2007, as amended, does not permit an inground pool in the exterior side yard in this instance.

CONDITION(S):

1. The applicant be required to relocate the board fence off the municipal property.

Committee Decision dated at the City of Mississauga on May 6, 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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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 **3202 Harris Crescent**.
Date of Hearing on Thursday April 29, 2021
Date Decision Signed by the Committee May 6, 2021

The hearing commenced at approximately 1:02p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:33p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance proposing side yard of 0.00m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.94ft) in this instance.

Z. Patel, 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 April 21, 2021)
- City of Mississauga, Transportation and Works Department (dated April 21, 2021)
- Region of Peel (dated April 21, 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

One area residents appeared before the Committee and expressed no objection to the application.

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

DECISION

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

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

MOVED BY: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of a below grade entrance proposing side yard of 0.00m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m in this instance.

Committee Decision dated at the City of Mississauga on May 6, 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"

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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 26, 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 **765 Bexhill Road**.
Date of Hearing on Thursday April 29, 2021
Date Decision Signed by the Committee May 6, 2021

The hearing commenced at approximately 1:02p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:38p.m.

APPLICATION DETAILS

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

1. A lot coverage of 32.6% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.0% in this instance; and
2. A building height measured to a flat roof of 8.16m (approx. 26.77ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance.

D. Nelson, agent, attended and presented evidence and comment in support of the application.

BACKGROUND

On January 28, 2021, D. Nelson, agent, requested to defer the application to meet with staff for potential redesign.

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 January 20, 2021)
- City of Mississauga, Transportation and Works Department (dated January 20, 2021)
- City of Mississauga, Community Services Department, Heritage Planning (dated January 20, 2021)
- Region of Peel (dated January 20, 2021)
- A petition of support signed by two area residents was received.
- A letter of objection from Ward Councillor Ras was received
- 7 letters of objection were received from area residents
- A petition of objection signed by 41 area residents was received.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated April 21, 2021)
- City of Mississauga, Transportation and Works Department (dated April 21, 2021)
- Region of Peel (dated April 21, 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

Two area residents appeared before the Committee and objected the application. Objections included the casting of shadows and that By-laws should be respected

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

DECISION

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

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 new house proposing:

1. A lot coverage of 32.6% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.0% in this instance; and
2. A building height measured to a flat roof of 8.16m whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m in this instance.

CONDITION(S):

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

Committee Decision dated at the City of Mississauga on May 6, 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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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 26, 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 **16 James Street & 2 William Street.**

Date of Hearing on Thursday April 29, 2021

Date Decision Signed by the Committee May 6, 2021

The hearing commenced at approximately 1:02p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:52p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow a landscape contractor's yard whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

F. Medieros, agent, attended and presented evidence and comment in support of the application.

BACKGROUND

On September 12, 2019, J. Levac, agent, attended and presented evidence and comment in support of the application. He discussed the history of the property's Zoning and Official Plan designations. He also indicated that the property as it exists cannot be feasibly redeveloped into medium density residential in accordance with the Official Plan due to the required railway setback.

The Secretary-Treasurer reminded the Committee of their powers under Section 45(2) of the Planning Act.

Committee asked questions of the agent who appeared before the Committee regarding potential conditions around dust control, odours and noise.

Two area residents appeared before the Committee and objected to the application. Concerns included noise, debris, lighting, and the change of use.

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

The Committee consented to the request and deferred the application to the November 28th, 2019 hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated September 3, 2019)
- City of Mississauga, Transportation and Works Department (dated August 30, 2019)
- City of Mississauga, Community Services Department, Culture Division (dated September 6, 2019)
- Region of Peel (dated August 29, 2019)

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated April 21, 2021)
- City of Mississauga, Transportation and Works Department (dated April 21, 2021)
- Region of Peel (dated April 21, 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

Three area residents appeared before the Committee and objected the application.

The Committee discussed the merits of the application.

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

DECISION

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

Accordingly, the Committee resolves to refuse the request.

MOVED BY: D. George CARRIED

The Decision of the Committee is:

APPLICATION REFUSED:

To allow a landscape contractor's yard whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

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