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## Committee of Adjustment

**Date:** April 29, 2021  
**Time:** 1:00 PM  
**Location:** Online Video Conference

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

Staff Present	Shelby Clements
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1. CALL TO ORDER
2. DECLARATION OF CONFLICT OF INTEREST
3. DEFERRALS OR WITHDRAWALS
4. MATTERS TO BE CONSIDERED
- 4.1 B-23/21A-138/21-A139/21

10 MISSISSAUGA RD N (WARD 1)

NATALIYA DEMCHUK

On April 29, 2021, I. Evangelista, agent, and requested to defer the application to meet with staff.

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

- 4.2 B24/21-A142/21

1379 & 1385 CLARKSON RD N (WARD 2)

VICKY SCHMIDT

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.

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## **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.

DECISIONS Moved By and Seconded By

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

MOVED BY:	S. Patrizio
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The Decision of the Committee is:

**APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:**

To sever a parcel of land for the creation of a new lot. The parcel 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) 21 must be finalized.

DECISIONS Moved By and Seconded By

Accordingly, the Committee resolves to refuse the request.

MOVED BY:	S. Patrizio	CARRIED
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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.

4.3 B26/21-A147/21-A148/21

1345 FESTAVON CRT (WARD 2)

MICHAEL SADKOWSKI

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.

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### **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.

### **DECISIONS** Moved By and Seconded By

Accordingly, the Committee resolves to refuse the request.

MOVED BY:	W. Shahruckh
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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.

DECISIONS Moved By and Seconded By

Accordingly, the Committee resolves to refuse the request.

MOVED BY:	S. Patrizio	CARRIED
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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.

DECISIONS Moved By and Seconded By

Accordingly, the Committee resolves to refuse the request.

MOVED BY:	S. Patrizio	CARRIED
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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.

#### 4.4 B27/21

2085 NORTH SHERIDAN WAY (WARD 2)

2206016 ONTARIO INC

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.

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#### **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.

#### **DECISIONS** Moved By and Seconded By

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

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

**APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:**

To sever a parcel of land for the creation of a new lot and an easement. The parcel of land has a frontage of approximately 67.37m and an area of approximately 7373.90sq.m.

4.5 A143/21

4272 GREYBROOK CRES (WARD 3)

JIANG LU

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.

**DECISIONS** Moved By and Seconded By

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

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

**APPLICATION APPROVED AS AMENDED:**

To allow the construction of 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.

4.6 **A144/21**

2892 TRADEWIND DR (WARD 9)

EMANUEL & MARA BENTO

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 majority of the members have determined that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

**DECISIONS** Moved By and Seconded By

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

MOVED BY:	S. Patrizio	CARRIED
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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.

4.7 A146/21

1219 RAVINE DR (WARD 2)

BARRY PIKE & COLLEEN CRAWFORD

No public comments were received as a result of the public circulation of this application. Committee asked questions of the agent who appeared before the Committee.

## **DECISION**

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

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

### **DECISIONS** Moved By and Seconded By

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

MOVED BY:	J. Kwast	CARRIED
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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 20m<sup>2</sup> is permitted for each structure, whereas 43.80m<sup>2</sup> is proposed.

#### 4.8 **A150/21**

430 SQUARE ONE DR & 4130 PARKSIDE VILLAGE DR. (WARD 4)

AMACON DEVELOPMENT (CITYCENTRE) CORP

No public comments were received as a result of the public circulation of this application. Committee asked questions of the agent who appeared before the Committee.

### **DECISION**

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

### **DECISIONS Moved By and Seconded By**

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

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

### **APPLICATION APPROVED:**

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.

#### **4.9 A151/21**

1388 BIRCHWOOD HEIGHTS DR (WARD 1)

PAUL & JULIE SEMAK

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)

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### **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.

**DECISIONS** Moved By and Seconded By

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

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

### **APPLICATION APPROVED AS AMENDED:**

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

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 2<sup>nd</sup> 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.

#### 4.10 A152/21

803 PARKLAND AVE (WARD 2)

FRANK & RINA BATTAGLIA

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.

**DECISIONS** Moved By and Seconded By

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

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

#### **APPLICATION APPROVED:**

To allow 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.

4.11 A154/21

2503 KING FORREST DR (WARD 8)

ZEYAD &amp; OLGA AZEM

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.

**DECISIONS** Moved By and Seconded By

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

MOVED BY:	J. Kwast	CARRIED
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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.

4.12 A156/21

3202 HARRIS CRES (WARD 9)

RUKSANA &amp; AZEEM PATEL

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.

DECISIONS Moved By and Seconded By

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

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

**APPLICATION APPROVED:**



To allow 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.

4.13 A157/21

6985 SECOND LINE WEST (WARD 11)

ISILDO MANUEL & SANDRA RAPOSO

On April 29, 2021, B. Oughtred, agent, and requested to defer the application to meet with staff.

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

4.14 A34/21

765 BEXHILL RD (WARD 2)

LIU SHENGHAO

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.

**DECISIONS** Moved By and Seconded By

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

MOVED BY:	S. Patrizio	CARRIED
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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.

4.15 A362/19

16 JAMES ST & 2 WILLIAM ST. (WARD 11)

ABSOLUTE BUILDING SOLUTIONS INC

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)

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### **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.

**DECISIONS** Moved By and Seconded By

Accordingly, the Committee resolves to refuse the request.

MOVED BY:	D. George	CARRIED
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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.

5. OTHER BUSINESS

6. ADJOURNMENT