

COMMITTEE OF ADJUSTMENT RESULTS



Location: VIRTUAL HEARING

Hearing: January 21, 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

NEW APPLICATIONS (CONSENT)

B-1/21	ARMDALE ESTATES INC	3600 HURONTARIO ST	7	Approved (AC)
B-2/21	TOUCHSTONE CONSTRUCTION LTD	0 ENFIELD PL	7	Approved (AC)
B-58/20	2629591 ONTARIO INC	2476 & 2482	7	Deferred
B-59/20		CONFEDERATION PKY		
B-60/20				
B-61/20				

NEW APPLICATIONS (MINOR VARIANCE)

A-355/20	METAXAS KATERELOS & NIKOLETA KATERELOU	1031 LUCERNE CRES	6	Deferred
A-407/20	AMJAD MAJEED & ANJUM IQBAL	3083 O'HAGAN DR	6	Withdrawn
A-9/21	RICHARD GUINOT & TANYA DESOUSA-GUINOT	3038 CANTELON CRES	9	Deferred
A-11/21	NGUYEN QUYNH HOA	1446 BIRCHWOOD DR	2	Approved (AA)
A-14/21	DANIELS CCW CORPORATION	4065 CONFEDERATION PKY	4	Approved (AC)
A-15/21	1728 LAKESHORE INVESTMENTS INC.	1728 LAKESHORE RD W	2	Refused (RA)
A-16/21	ALWRIGHT INVESTMENTS INC	1000 ROPER AVE	2	Approved (AA, ACP)
A-17/21	ALI HABEEB & GHADA HAMZA	6612 LISGAR DR	10	Deferred
A-18/21	THE CANADA LIFE ASSURANCE COMPANY	185 ENFIELD PL	7	Approved (AA, AC)
A-19/21	CITY OF MISSISSAUGA	1500 GULLEDEN DR	3	Approved (AA)
A-36/21	2738442 ONTARIO LTD	5 PINE AVE N	1	Approved (AC)
A-37/21	2738442 ONTARIO LTD	5 PINE AVE N	1	Approved (AC)

DEFERRED FILES (MINOR VARIANCE)

A-338/20	JOSEF AND DANICA SCHINDLER	329 LAKESHORE RD E	1	Approved (AA)
A-375/20	SAMANTHA PINTO	880 SEVENTH ST	1	Approved (ACP)

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 **3600 Hurontario Street**.
Date of Hearing on Thursday January 21, 2021
Date Decision Signed by the Committee January 28, 2021

The hearing commenced at approximately 1:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:33p.m.

APPLICATION DETAILS

The applicant requests the approval of the Committee to sever a parcel of land for the purpose of a lot addition and easements. The parcel of land has a frontage of approximately 23.89m (78.38ft) and an area of approximately 1,220.52sq.m (13,137.57sq.ft). The parcel will be added to the property immediately to the West known as 0 Enfield Drive.

J. Lethbridge, 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 January 13, 2020)
- City of Mississauga, Transportation and Works Department (dated January 13, 2020)
- City of Mississauga, Community Services Department, Heritage Planning (dated January 13, 2020)
- Region of Peel (dated January 13, 2020)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

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

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

DECISION

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

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 CARRIED

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED APPEDIX A AND THOSE LIST BELOW:

To sever a parcel of land for the purpose of a lot addition and easements. The parcel of land has a frontage of approximately 23.89m and an area of approximately 1,220.52sq.m. The parcel will be added to the property immediately to the West known as 0 Enfield Drive.

AND IS SUBJECT THE FOLLOWING:

- a. Subsection 50(3) and/or 50(5) of the Planning Act, shall apply to any subsequent conveyance or transaction that is subject to this consent and the Secretary-Treasurer's Certificate shall contain reference to this stipulation.
- b. The severed portion shall merge into common ownership with the lands municipally know as 0 Enfield Drive, Mississauga Ontario. If required the applicant may have to submit a letter form a lawyer describing how the two properties will be merged.

Committee Decision dated at the City of Mississauga on January 28, 2021

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<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 January 28, 2021

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

For a signed copy of this document

please call 905-615-3200 ext. 2408

or email

Committee.Adjustment@mississauga.ca

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

Date of Mailing: January 29, 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 **February 18, 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 January 29, 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 January 13, 2020.

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 which is identical to the seven previous Consent Applications which have lapsed, Reference 'B' 53 & 54/19, 'B' 36 & 37/18, 'B' 26 & 27/17, 'B' 19 and 20/16 'B' 6 and 7/15, 'B' 65 and 66/13 and 'B' 86 and 87/12. These applications will permit a land exchange to occur between Armdale Estates Inc. and The Conservatory Group which will create new parcels to be developed for future high density residential and commercial purposes along with the establishment of access and maintenance easements. The land exchange will facilitate a more orderly development and will also permit vehicular access for both parcels to be from Enfield Place and Matthews Gate rather than Hurontario Street. Acknowledging that the proposed Light Rail Transit (LRT) system is to be constructed along the Hurontario-Main corridor, access for the subject properties will not be permitted onto Hurontario Street. The vehicular access for the Armdale Estates Inc. lands (southerly parcel) will be from Enfield Place via an existing driveway which will also be shared with the existing condominium development to the west. The Conservatory lands (northerly parcel) will have their primary access from Matthews Gate with the service vehicle access being from the mutual right-of-way easement with access onto Enfield Place.

We note that associated files with this property are city files HOZ 13/006, SP 14/020 and SP 09/027. The "H-CC2 Holding Category" zoning designation on the subject lands prevents development of the subject lands until such time that the owner/applicant has satisfied a number of site specific conditions/requirements of development such as the delivery of an executed Development Agreement which includes Municipal Infrastructure Schedules in a form satisfactory to the Corporation of the City of Mississauga specifically addressing the construction of any required municipal works in support of the development, land dedications, applicable securities, etc. In order to remove the holding category designation an application will have to be made to the City for the removal of the "H" Holding Symbol.

In view of the above, and should Committee see merit in the applicant's request we are providing the following conditions/requirements to be imposed as conditions of approval:

A. Items Required Prior to Final Consent

1. Full Scale Site Plan Depicting Easements

A full scale Site Plan is to be submitted for our review/approval which would clearly indicate the proposed severance lines and location of any proposed access and maintenance easements to be established. Access geometrics, driveways and access areas including loading areas and ramps to underground parking should be shown in order that we can properly evaluate the proposed access and maintenance easement locations.

2. Required Easements

Upon review of Item A1 and the confirmation of any required access and maintenance easements, the applicant/owner will be required to provide a letter prepared by a Solicitor which would specifically describe any new private easements to be established. It should also be noted that any

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

documentation received will be forwarded as an attachment to our clearance memo to the Committee of Adjustment so that any new proposed private easement(s) can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

3. Road Widening Requirements

Satisfactory arrangement will have to be made to dedicate gratuitously to the City of Mississauga any lands required across the frontages which are necessary to achieve the ultimate right-of-way widths. We note that a right-of-way widening towards the ultimate 50.0 metre right-of-way for Hurontario Street and a 26 metre right-of-way for Mathews Gate as identified in the Official Plan will be required.

In view of the above we are advising that any particulars with regards to land dedications will have to be to the satisfaction of the City's Ontario Land Surveyor and our Traffic Planning Section.

4. Environmental Site Assessment (ESA) for Road Widening

As a road widening across the frontages of these properties is being requested, in accordance with Corporate Policy 09-08-02, a Phase 1 Environmental Site Assessment (ESA) will be required. The report should be prepared in accordance with O. Reg 153/04 (as amended), signed and dated by a Qualified Person as defined in O. Reg 153/04 (as amended) and include a clause or be accompanied by a letter signed by the author of the report or a Principal of the Consulting Firm, which allows the City of Mississauga to make reliance on the findings and conclusions presented in the report.

If the Phase One ESA indicates potential for contamination, a Phase Two Environmental Site Assessment will be required. If contamination is confirmed, a Remedial Action Plan that appropriately addresses the contamination will be required. Recommendations contained within the plan will be implemented by way of conditions to the development approval.

Should additional clarification be required with regard to the Environmental Site Assessment (ESA), please contact Valeriya Danylova, P.Eng, Environmental Technologist at 905 615-3200 ext. 5930 or valeriya.danylova@mississauga.ca should you require further information.

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

B. GENERAL INFORMATION

1. Development Agreement Including Schedules for Municipal Infrastructure to address the Relocation of Existing Storm Sewer

We note that the ultimate storm sewer outlet for the subject lands is the existing 1800mm storm sewer which is currently located on a municipal easement to the west and south of these lands. In order to accommodate any future development on the subject lands the relocation of the municipal storm sewer will be required and the owner/applicant will be required to enter into a Development Agreement which includes Municipal Infrastructure Schedules to complete the works. Acknowledging that there is currently a "HCC2 Holding Category" zoning designation on the subject lands, and that

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

any future development of the subject lands will require Site Plan Approval, the requirement for a Development Agreement will not be a condition to be satisfied under this Consent and will be addressed in any future development application for the subject lands.

2. Site Plan Approval

Any 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.

3. Hurontario-Main Light Rail Transit System Project

We note that the Hurontario-Main Light Rail Transit System Project started construction in 2020. This project will impact right-of-way requirements, property accesses, allowed turning movements and will result in the permanent removal of a general-purpose traffic lane in each direction for many segments of the corridor. Further information is available at www.hurontario-main.ca.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

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 **3600 Hurontario Street**.
Date of Hearing on Thursday January 21, 2021
Date Decision Signed by the Committee January 28, 2021

The hearing commenced at approximately 1:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:33p.m.

APPLICATION DETAILS

The applicant requests the approval of the Committee to sever a parcel of land for the purpose of a lot addition and easements. The parcel of land has a frontage of approximately 32.96m (108.14ft) and an area of approximately 2,865.56sq.m (30,844.63sq.ft). The parcel will be added to the property immediately to the east known as 3600 - 3606 Hurontario Street.

J. Lethbridge, 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 January 13, 2020)
- City of Mississauga, Transportation and Works Department (dated January 13, 2020)
- City of Mississauga, Community Services Department, Heritage Planning (dated January 13, 2020)
- Region of Peel (dated January 13, 2020)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

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

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

DECISION

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

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 CARRIED

The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED APPEDIX A AND THOSE LIST BELOW:

To sever a parcel of land for the purpose of a lot addition and easements. The parcel of land has a frontage of approximately 32.96m and an area of approximately 2,865.56sq.m. The parcel will be added to the property immediately to the east known as 3600 - 3606 Hurontario Street.

AND IS SUBJECT THE FOLLOWING:

- a. Subsection 50(3) and/or 50(5) of the Planning Act, shall apply to any subsequent conveyance or transaction that is subject to this consent and the Secretary-Treasurer's Certificate shall contain reference to this stipulation.
- b. The severed portion shall merge into common ownership with the lands municipally know as 3600- 3606 Hurontario Street, Mississauga Ontario. If required the applicant may have to submit a letter form a lawyer describing how the two properties will be merged.

Committee Decision dated at the City of Mississauga on January 28, 2021

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
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"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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

Date of Mailing: January 29, 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 **February 18, 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 January 29, 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 January 13, 2020.

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 which is identical to the seven previous Consent Applications which have lapsed, Reference 'B' 53 & 54/19, 'B' 36 & 37/18, 'B' 26 & 27/17, 'B' 19 and 20/16 'B' 6 and 7/15, 'B' 65 and 66/13 and 'B' 86 and 87/12. These applications will permit a land exchange to occur between Armdale Estates Inc. and The Conservatory Group which will create new parcels to be developed for future high density residential and commercial purposes along with the establishment of access and maintenance easements. The land exchange will facilitate a more orderly development and will also permit vehicular access for both parcels to be from Enfield Place and Matthews Gate rather than Hurontario Street. Acknowledging that the proposed Light Rail Transit (LRT) system is to be constructed along the Hurontario-Main corridor, access for the subject properties will not be permitted onto Hurontario Street. The vehicular access for the Armdale Estates Inc. lands (southerly parcel) will be from Enfield Place via an existing driveway which will also be shared with the existing condominium development to the west. The Conservatory lands (northerly parcel) will have their primary access from Matthews Gate with the service vehicle access being from the mutual right-of-way easement with access onto Enfield Place.

We note that associated files with this property are city files HOZ 13/006, SP 14/020 and SP 09/027. The "H-CC2 Holding Category" zoning designation on the subject lands prevents development of the subject lands until such time that the owner/applicant has satisfied a number of site specific conditions/requirements of development such as the delivery of an executed Development Agreement which includes Municipal Infrastructure Schedules in a form satisfactory to the Corporation of the City of Mississauga specifically addressing the construction of any required municipal works in support of the development, land dedications, applicable securities, etc. In order to remove the holding category designation an application will have to be made to the City for the removal of the "H" Holding Symbol.

In view of the above, and should Committee see merit in the applicant's request we are providing the following conditions/requirements to be imposed as conditions of approval:

A. Items Required Prior to Final Consent

1. Full Scale Site Plan Depicting Easements

A full scale Site Plan is to be submitted for our review/approval which would clearly indicate the proposed severance lines and location of any proposed access and maintenance easements to be established. Access geometrics, driveways and access areas including loading areas and ramps to underground parking should be shown in order that we can properly evaluate the proposed access and maintenance easement locations.

2. Required Easements

Upon review of Item A1 and the confirmation of any required access and maintenance easements, the applicant/owner will be required to provide a letter prepared by a Solicitor which would specifically describe any new private easements to be established. It should also be noted that any

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

documentation received will be forwarded as an attachment to our clearance memo to the Committee of Adjustment so that any new proposed private easement(s) can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

3. Road Widening Requirements

Satisfactory arrangement will have to be made to dedicate gratuitously to the City of Mississauga any lands required across the frontages which are necessary to achieve the ultimate right-of-way widths. We note that a right-of-way widening towards the ultimate 50.0 metre right-of-way for Hurontario Street and a 26 metre right-of-way for Mathews Gate as identified in the Official Plan will be required.

In view of the above we are advising that any particulars with regards to land dedications will have to be to the satisfaction of the City's Ontario Land Surveyor and our Traffic Planning Section.

4. Environmental Site Assessment (ESA) for Road Widening

As a road widening across the frontages of these properties is being requested, in accordance with Corporate Policy 09-08-02, a Phase 1 Environmental Site Assessment (ESA) will be required. The report should be prepared in accordance with O. Reg 153/04 (as amended), signed and dated by a Qualified Person as defined in O. Reg 153/04 (as amended) and include a clause or be accompanied by a letter signed by the author of the report or a Principal of the Consulting Firm, which allows the City of Mississauga to make reliance on the findings and conclusions presented in the report.

If the Phase One ESA indicates potential for contamination, a Phase Two Environmental Site Assessment will be required. If contamination is confirmed, a Remedial Action Plan that appropriately addresses the contamination will be required. Recommendations contained within the plan will be implemented by way of conditions to the development approval.

Should additional clarification be required with regard to the Environmental Site Assessment (ESA), please contact Valeriya Danylova, P.Eng, Environmental Technologist at 905 615-3200 ext. 5930 or valeriya.danylova@mississauga.ca should you require further information.

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

B. GENERAL INFORMATION

1. Development Agreement Including Schedules for Municipal Infrastructure to address the Relocation of Existing Storm Sewer

We note that the ultimate storm sewer outlet for the subject lands is the existing 1800mm storm sewer which is currently located on a municipal easement to the west and south of these lands. In order to accommodate any future development on the subject lands the relocation of the municipal storm sewer will be required and the owner/applicant will be required to enter into a Development Agreement which includes Municipal Infrastructure Schedules to complete the works. Acknowledging that there is currently a "HCC2 Holding Category" zoning designation on the subject lands, and that

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

any future development of the subject lands will require Site Plan Approval, the requirement for a Development Agreement will not be a condition to be satisfied under this Consent and will be addressed in any future development application for the subject lands.

2. Site Plan Approval

Any 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.

3. Hurontario-Main Light Rail Transit System Project

We note that the Hurontario-Main Light Rail Transit System Project started construction in 2020. This project will impact right-of-way requirements, property accesses, allowed turning movements and will result in the permanent removal of a general-purpose traffic lane in each direction for many segments of the corridor. Further information is available at www.hurontario-main.ca.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

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 **1446 Birchwood Drive**.
Date of Hearing on Thursday January 21, 2021
Date Decision Signed by the Committee January 28, 2021

The hearing commenced at approximately 1:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:11p.m.

APPLICATION DETAILS

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

1. A front yard of 7.68m (approx. 25.20ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 9.00m (approx. 29.53ft) in this instance;
2. A combined side yard width of 6.01m (approx. 19.72ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 6.55m (approx. 21.49ft) in this instance; and
3. A building height measured to the eaves of 7.00m (approx. 22.97ft) whereas By-law 0225-2007, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

R. Kossak, 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 January 13, 2021)
- City of Mississauga, Transportation and Works Department (dated January 13, 2021)
- City of Mississauga, Community Services Department, Culture Division (dated January 13, 2021)
- Region of Peel (dated January 13, 2021)
- Credit Valley Conservation (dated January 13, 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 objected 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 submission. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

MOVED BY: S. Patrizio CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow the construction of a new house proposing:

1. A front yard of 7.68m whereas By-law 0225-2007, as amended, requires a minimum front yard of 9.00m in this instance;
2. A combined side yard width of 24.78% of the lot frontage (6.01m) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 27% of the lot frontage (6.55m) in this instance;
3. A building height measured to the eaves of 7.00m whereas By-law 0225-2007, permits a maximum building height measured to the eaves of 6.40m in this instance.

Committee Decision dated at the City of Mississauga on January 28, 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 January 28, 2021

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

For a signed copy of this document
please call 905-615-3200 ext. 2408
or email

Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **February 17, 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 **4065 Confederation Parkway**.
Date of Hearing on Thursday January 21, 2021
Date Decision Signed by the Committee January 28, 2021

The hearing commenced at approximately 1:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:19p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the as-built parking to remain on the subject property proposing:

1. A parking space length of 4.80m (approx. 15.75ft) for units 55 & 56 on Level A, Units 66 & 67 on Level B, and Units 66 & 67 on Level C whereas By-law 0225-2007, as amended, requires a minimum parking space length of 5.20m (approx. 17.06ft) in this instance; and
2. A parking space width of 2.40m (approx. 7.87ft) for Units 80, 84 & 85 on Level A, Units 25, 26, 91, 92, 137 & 138 on Level B, and Units 23, 24, 31, 93, 94, 113, 135, 136 & 141 on Level C whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.75m (approx. 9.02ft) in this instance.

C. Liggio, 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 January 13, 2021)
- City of Mississauga, Transportation and Works Department (dated January 13, 2021)
- City of Mississauga, Community Services Department, Culture Division (dated January 13, 2021)
- Region of Peel (dated January 13, 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

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

DECISION

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

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

MOVED BY: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO CONDITION:

To allow the as-built parking to remain on the subject property proposing:

1. A parking space length of 4.80m for units 55 & 56 on Level A, Units 66 & 67 on Level B, and Units 66 & 67 on Level C whereas By-law 0225-2007, as amended, requires a minimum parking space length of 5.20m in this instance; and
2. A parking space width of 2.40m for Units 80, 84 & 85 on Level A, Units 25, 26, 91, 92, 137 & 138 on Level B, and Units 23, 24, 31, 93, 94, 113, 135, 136 & 141 on Level C whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.75m in this instance.

CONDITION:

1. The applicant shall include a warning clause in the condo declaration to advise owners and potential purchasers of units 55 & 56, 80, 84 & 85 on Level A, units 66, 67, 25, 26, 91, 92, 137 & 138 on Level B, and units 66, 67, 23, 24, 31, 93, 94, 113, 135, 136 & 141 on Level C of the size deficiency. The applicant shall register on title a warning clause identifying the parking spaces that are substandard in size.

Committee Decision dated at the City of Mississauga on January 28, 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 January 28, 2021

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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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 **February 17, 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 **1728 Lakeshore Road West Unit 2.**
Date of Hearing on Thursday January 21, 2021
Date Decision Signed by the Committee January 28, 2021

The hearing commenced at approximately 1:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:25p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow a dog training facility whereas By-law 0225-2007, as amended, does not permit a dog training facility in this instance.

G. Reisinger, 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 January 13, 2021)
- City of Mississauga, Transportation and Works Department (dated January 13, 2021)
- Region of Peel (dated January 13, 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from eight area resident and business owners expressing objection for the subject application.

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

Committee asked questions of the agent who appeared before the Committee. The Committee discussed the merits of the application. The Committee discussed animal boarding and dog training permissions in this Zone. L. Petricca, Planner, Planning and Building Department spoke, and stated that regardless of animal boarding or a dog training use, a variance would be required.

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 eight written submissions, six 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 AS AMENDED:

To allow a dog training facility providing parking at a rate of 3.6 spaces per 100m² of GFA Non-Residential whereas By-law 0225-2007, as amended, does not permit a dog training facility in this instance and would require parking at the rate of 5.4 spaces per 100m² of GFA Non-Residential.

Committee Decision dated at the City of Mississauga on January 28, 2021.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>DISSENTED</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 January 28, 2021

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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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 **February 17, 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 **1000 Roper Avenue**.
Date of Hearing on Thursday January 21, 2021
Date Decision Signed by the Committee January 28, 2021

The hearing commenced at approximately 1:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 2:32p.m.

APPLICATION DETAILS

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

1. A gross floor area of 314.33sq.m (approx. 3383.42sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 282.66sq.m (approx. 3042.52ft) in this instance;
2. A lot coverage of 47.27% (219.00sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (139.00sq.m) in this instance;
3. A dwelling unit depth of 21.76m (approx. 71.39ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
4. A rear yard of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 3.00m (approx. 9.84ft) in this instance;
5. A rear yard measured to an eave of 0.77m (approx. 2.53ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to an eave of 2.39m (approx. 7.84ft) in this instance;
6. An interior side yard measured to the dwelling of 1.36m (approx. 4.46ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the dwelling of 3.00m (approx. 9.84ft) in this instance;
7. An interior side yard measured to the porch of 1.35m (approx. 4.43ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the porch of 3.00m (approx. 9.84ft) in this instance;
8. An interior side yard measured to an eave of 1.04m (approx. 3.41ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to an eave of 2.55m (approx. 8.37ft) in this instance;
9. An interior side yard measured to the window well of 0.75m (approx. 2.46ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the window well of 2.39m (approx. 7.84ft) in this instance;
10. An interior side yard measured to the balcony of 1.66m (approx. 5.44ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the balcony of 3.00m (approx. 9.84ft) in this instance;
11. An exterior side yard measured to the dwelling of 4.34m (approx. 14.24ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the dwelling of 7.50m (approx. 24.61ft) in this instance;

12. An exterior side yard measured to the eaves of 4.03m (approx. 13.22ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the eaves of 7.50m (approx. 24.61ft) in this instance;
13. An exterior side yard measured to the porch of 3.43m (approx. 11.25ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the eaves of 5.90m (approx. 19.36ft) in this instance;
14. An exterior side yard measured to the garage of 5.67m (approx. 18.60ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the garage of 7.50m (approx. 24.61ft) in this instance;
15. A driveway width of 6.87m (approx. 22.54ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
16. A fireplace (interior) between the front wall of the dwelling and the front lot line whereas By-law 0225-2007, as amended, does not permit a fireplace between the front wall of the dwelling and the front lot line in this instance.

P. Giordano, 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 January 13, 2021)
- City of Mississauga, Transportation and Works Department (dated January 13, 2021)
- City of Mississauga, Community Services Department, Culture Division (dated January 13, 2021)
- Region of Peel (dated January 13, 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

Three area residents appeared before the Committee and expressed objection for the application.

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

DECISION

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

Committee has taken into consideration, on balance, any and all submissions made before its decision including four written submissions, 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 minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

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

MOVED BY: D. Kennedy CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITIONS:

To allow the construction of a new house proposing:

1. A gross floor area of 314.33sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 282.66sq.m in this instance;
2. A lot coverage of 47.27% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
3. A dwelling unit depth of 21.76m whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m in this instance;
4. A rear yard of 1.22m whereas By-law 0225-2007, as amended, requires a minimum rear yard of 3.00m in this instance;
5. A rear yard measured to an eave of 0.77m whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to an eave of 2.39m in this instance;
6. An interior side yard measured to the dwelling of 1.35m whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the dwelling of 3.00m in this instance;
7. An interior side yard measured to the porch of 1.35m whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the porch of 3.00m in this instance;
8. An interior side yard measured to an eave of 1.04m whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to an eave of 2.55m in this instance;
9. An interior side yard measured to the window well of 0.75m whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the window well of 2.39m in this instance;
10. An interior side yard measured to the balcony of 1.66m whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the balcony of 3.00m in this instance;
11. An exterior side yard measured to the dwelling of 4.34m whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to the dwelling of 7.50m in this instance;
12. An exterior side yard measured to the eaves of 4.03m whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to the eaves of 7.50m in this instance;
13. An exterior side yard measured to the porch of 3.43m whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to the eaves of 5.90m in this instance;
14. An exterior side yard measured to the garage of 5.67m whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to the garage of 7.50m in this instance;
15. A driveway width of 6.87m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m in this instance;
16. A fireplace (interior) between the front wall of the dwelling and the front lot line whereas By-law 0225-2007, as amended, does not permit a fireplace between the front wall of the dwelling and the front lot line 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 January 28, 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 January 28, 2021

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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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 **February 17, 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 **185 Enfield Place**.
Date of Hearing on Thursday January 21, 2021
Date Decision Signed by the Committee January 28, 2021

The hearing commenced at approximately 1:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:04p.m.

APPLICATION DETAILS

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

1. A residential parking rate of 0.74 spaces per unit whereas By-law 0225-2007, as amended, requires a minimum residential parking rate of 1 space per unit;
2. 37 visitor parking spaces whereas By-law 0225-2007, as amended, requires 55 visitor parking spaces in this instance; and
3. A drive aisle width of 5.90m (approx. 19.36m) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m (approx. 22.97ft) in this instance.

N. Loewen, 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 January 13, 2021)
- City of Mississauga, Transportation and Works Department (dated January 13, 2021)
- Region of Peel (dated January 13, 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from two area resident expressing objections for the subject 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 two written submissions. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is minor in nature, desirable for 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 AS AMENDED SUBJECT TO CONDITIONS:

1. To provide resident parking for a rental apartment at a rate of 0.72 resident spaces per one-bedroom unit and at a rate of 0.85 resident spaces per two-bedroom and three-bedroom units, whereas By-law 0225-2007, as amended, requires resident parking for a rental apartment at a rate of 1.0 spaces per unit in this instance.
2. To provide visitor parking for a rental apartment at a rate of 0.12 visitor spaces per unit, whereas By-law 0225-2007, as amended, requires visitor parking for a rental apartment at a rate of 0.15 spaces per unit in this instance.
3. A drive aisle width of 5.90m whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m in this instance.

CONDITIONS:

1. Accommodating the resulting shortfall of parking for the development of Phase 1 lands on the Phase 2 lands of the subject site, subject to site plan approval of Phase 1 development, and/or
2. Submitting a satisfactory shared parking agreement with a plan demonstrating the provision of 18 parking spaces at an off-site location, and/or applying for a Payment-in-Lieu (PIL) application for the consideration of a partial parking deficiency as applicable. Through the PIL application process, the proponent contribution will be calculated for the requested parking deficiency.

Committee Decision dated at the City of Mississauga on January 28, 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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"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **February 17, 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 **1500 Gulleden Drive**.
Date of Hearing on Thursday January 21, 2021
Date Decision Signed by the Committee January 28, 2021

The hearing commenced at approximately 1:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:12p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the construction of an addition and parking on the subject property proposing:

1. A setback of 3.1m (approx. 10.17ft) to the building whereas By-law 0225-2007, as amended, requires a minimum setback of 4.50m (approx. 14.76ft) in this instance;
2. A landscaped buffer of 0.00m whereas By-law 0225-2007, as amended, requires a minimum landscaped buffer of 4.50m (approx. 14.76ft) in this instance;
3. 231 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 387 parking spaces in this instance; and
4. Parking as a single use whereas By-law 0225-2007, as amended, requires parking as a secondary use in this instance.

Parking as a single use whereas By-law 0225-2007, as amended, requires parking as a secondary use in this instance.

R. Giuricich, 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 January 13, 2021)
- City of Mississauga, Transportation and Works Department (dated January 13, 2021)
- Region of Peel (dated January 13, 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

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

MOVED BY: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

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

1. A setback of 3.10m to the building whereas By-law 0225-2007, as amended, requires a minimum setback of 4.50m in this instance;
2. A landscaped buffer of 3.00m whereas By-law 0225-2007, as amended, requires a minimum landscaped buffer of 4.50m in this instance;
3. 231 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 387 parking spaces in this instance; and
4. A parking area within lands zoned OS2 as a stand alone use whereas By-law 0225-2007, as amended, requires parking as a secondary use in this instance.
5. Proposing eight (8) Accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of ten (10) Accessible parking spaces in this instance.
6. Proposing a walkway within the landscape buffer not in compliance with the definition for landscape buffer whereas By-law 0225-2007, as amended, requires a walkway to be in compliance with the definition of Landscape Buffer in this instance.

Committee Decision dated at the City of Mississauga on January 28, 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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"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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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 **February 17, 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 **5A Pine Avenue North**.
Date of Hearing on Thursday January 21, 2021
Date Decision Signed by the Committee January 28, 2021

The hearing commenced at approximately 1:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:22p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the creation of a new lot (5A Pine Avenue) proposing a lot frontage of 6.49m (approx. 21.29ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 6.80m (approx. 22.31ft) in this instance.

D. Acimovic, 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 January 13, 2021)
- City of Mississauga, Transportation and Works Department (dated January 13, 2021)
- Region of Peel (dated January 13, 2021)

CORRESPONDENCE & DISCUSSION

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

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

DECISION

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

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

MOVED BY: S. Patrizio CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO A CONDITION:

To allow the creation of a new lot (5A Pine Avenue) proposing a lot frontage of 6.49m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 6.80m in this instance.

CONDITION:

1. Variance(s) approved under file(s) A36/21 & A37/21 shall lapse if the consent application under file B78/19 is not finalized within the time prescribed by legislation.

Committee Decision dated at the City of Mississauga on January 28, 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 January 28, 2021

"S. KENNEY"

SEAN KENNEY - SECRETARY-
TREASURER

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

Committee.Adjustment@mississauga.ca

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

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **February 17, 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 **5B Pine Avenue North**.
Date of Hearing on Thursday January 21, 2021
Date Decision Signed by the Committee January 28, 2021

The hearing commenced at approximately 1:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:22p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow the creation of a new lot (5B Pine Avenue) proposing a lot frontage of 6.12m (approx. 20.08ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 6.80m (approx. 22.31ft) in this instance.

D. Acimovic, 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 January 13, 2021)
- City of Mississauga, Transportation and Works Department (dated January 13, 2021)
- Region of Peel (dated January 13, 2021)

CORRESPONDENCE & DISCUSSION

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

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

DECISION

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

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

MOVED BY: S. Patrizio CARRIED

The Decision of the Committee is:

APPLICATION APPROVED SUBJECT TO A CONDITION:

To allow the creation of a new lot (5B Pine Avenue) proposing a lot frontage of 6.12m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 6.80m in this instance.

CONDITION:

1. Variances approved under files A36/21 & A37/21 shall lapse if the consent application under file B78/19 is not finalized within the time prescribed by legislation.

Committee Decision dated at the City of Mississauga on January 28, 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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"S. KENNEY"

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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 **February 17, 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 **329 Lakeshore Road East**.
Date of Hearing on Thursday January 21, 2021
Date Decision Signed by the Committee January 28, 2021

The hearing commenced at approximately 1:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:27p.m.

APPLICATION DETAILS

The applicant requests the Committee to approve a minor variance to allow a take-out restaurant proposing:

1. A take-out restaurant being located within 60m (approx. 196.85ft) of a Residential Zone whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60m (approx. 196.85ft) from a take-out restaurant to a Residential Zone in this instance;
2. Two tandem spaces with an on-site aisle width of 4.20m, whereas By-law 0225-2007, as amended, requires a minimum of 7.0m aisle width and does not permit tandem spaces for this use in this instance;
3. 1.00 parking space for a residential apartment whereas By-law 0225-2007, as amended, requires a minimum of 1.25 spaces for a residential apartment in this instance;
4. A reduced parking rate of 4.85 parking spaces per 100sq.m whereas By-law 0225-2007, as amended, requires a minimum parking rate of 6 spaces per 100sq.m;
5. 4 parking spaces on-site whereas By-law 0225-2007, as amended, requires a minimum of 7 parking spaces for all uses onsite in this instance.

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

BACKGROUND

On November 5, 2020, M, Chauhan, agent, requested to defer the application to meet with staff and submit revised parking justification letter.

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 October 28, 2020)
- City of Mississauga, Transportation and Works Department (dated October 28, 2020)
- Region of Peel (dated October 28, 2020)

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated January 13, 2021)
- City of Mississauga, Transportation and Works Department (dated January 13, 2021)
- Region of Peel (dated January 13, 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: D. George CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow a take-out restaurant proposing:

1. A take-out restaurant being located within 60m of a Residential Zone whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60m from a take-out restaurant to a Residential Zone in this instance;
2. Two tandem spaces with an on-site aisle width of 4.20m, whereas By-law 0225-2007, as amended, requires a minimum of 7.0m aisle width and does not permit tandem spaces for this use in this instance;
3. 4 parking spaces on-site whereas By-law 0225-2007, as amended, requires a minimum of 7 parking spaces for all uses onsite in this instance.

Committee Decision dated at the City of Mississauga on January 28, 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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"S. KENNEY"

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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 **February 17, 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 **880 Seventh Street**.
Date of Hearing on Thursday January 21, 2021
Date Decision Signed by the Committee January 28, 2021

The hearing commenced at approximately 1:00p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 3:31p.m.

APPLICATION DETAILS

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

1. A lot coverage of 42.61% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% of the lot area in this instance;
2. A height of 10.08m (approx. 33.07ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9.50m (approx. 31.16ft) in this instance; and
3. A height measured to the eaves of 7.64m (approx. 25.07ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

R. Dobosz, agent, attended and presented evidence and comment in support of the application.

BACKGROUND

On November 19, 2020, D. Ryszard, agent, requested to defer the application to meet with staff.

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

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated November 11, 2020)
- City of Mississauga, Transportation and Works Department (dated November 11, 2020)
- Region of Peel (dated November 11, 2020)
- Two letters of objection were received from area residents.

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated January 13, 2021)
- City of Mississauga, Transportation and Works Department (dated January 13, 2021)

- Region of Peel (dated January 13, 2021)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

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

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

DECISION

Committee has taken into consideration, on balance, any and all submissions made before its decision including four written submissions. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is minor in nature, desirable for 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 A CONDITION:

To allow the construction of a new house on the subject property proposing:

1. A lot coverage of 42.61% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% of the lot area in this instance;
2. A height of 10.08m whereas By-law 0225-2007, as amended, permits a maximum height of 9.50m in this instance; and
3. A height measured to the eaves of 7.64m whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m in this instance.

CONDITION:

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 January 28, 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.