

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 **4220 Living Arts Drive**.
Date of Hearing on Thursday July 9, 2020
Date Decision Signed by the Committee July 16, 2020

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

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:13p.m.

APPLICATION DETAILS

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

1. Two stories for a portion of the podium whereas By-law 0225-2007, as amended, requires a minimum height of three stories in this instance;
2. Two stories for a portion of the podium whereas By-law 0050-2013, as amended, requires a minimum height of three stories in this instance;
3. 0.85 resident parking spaces and 0.15 visitor parking spaces per unit whereas By-law 0225-2007, as amended, requires a minimum of 1.0 resident parking spaces and 0.15 visitor parking spaces per unit in this instance;
4. 45% first storey glazing abutting Rathburn Road whereas By-law 0050-2013, as amended, requires a minimum 75% first storey glazing abutting Rathburn Road in this instance;
5. The condo building entrance to project behind the first storey of the streetwall whereas By-law 0050-2013, as amended, does not permit a projection behind or beyond the first storey of the streetwall in this instance; and
6. The rental building entrance to project beyond the first storey of the streetwall whereas By-law 0050-2013, as amended, does not permit a projection behind or beyond the first storey of the streetwall in this instance.

A. Toth, 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 June 30, 2020)
- City of Mississauga, Transportation and Works Department (dated June 30, 2020)
- Region of Peel (dated June 30, 2020)
- The Ministry of Transportation (dated June 30, 2020)

CORRESPONDENCE & DISCUSSION

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

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

The applicant requested to remove variance number three.

DECISION

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

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

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

MOVED BY: J. Page CARRIED

The Decision of the Committee was:

APPLICATION APPROVED AS AMENDED:

To allow the construction of a condominium on the subject property proposing:

1. Two stories for a portion of the podium whereas By-law 0225-2007, as amended, requires a minimum height of three stories in this instance;
2. Two stories for a portion of the podium whereas By-law 0050-2013, as amended, requires a minimum height of three stories in this instance;
3. 45% first storey glazing abutting Rathburn Road whereas By-law 0050-2013, as amended, requires a minimum 75% first storey glazing abutting Rathburn Road in this instance;
4. The condo building entrance to project behind the first storey of the streetwall whereas By-law 0050-2013, as amended, does not permit a projection behind or beyond the first storey of the streetwall in this instance; and
5. The rental building entrance to project beyond the first storey of the streetwall whereas By-law 0050-2013, as amended, does not permit a projection behind or beyond the first storey of the streetwall in this instance.

Committee Decision dated at the City of Mississauga on July 16, 2020.

<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	ABSENT J. KWAST
<u>"D. COOK"</u> D. COOK	

I certify this is copy of the decision of the Committee's decision given on July 16, 2020

"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 **August 5, 2020**

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.