

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 **1610 Indian Grove**.  
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 1:22p.m.

### **APPLICATION DETAILS**

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

1. A garage projection of 0.48m (approx. 1.57ft) whereas By-law 0225-2007, as amended, does not permit a garage projection in this instance;
2. A northerly side yard to the first storey of 1.25m (approx. 4.10ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance;
3. A northerly side yard to the second storey of 1.25m (approx. 4.10ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;
4. A southerly side yard to the first storey of 1.27m (approx. 4.17ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance;
5. A southerly side yard to the second storey of 1.27m (approx. 4.17ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;
6. A southerly side yard to the south front balcony of 0.86m (approx. 2.82ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;
7. A northerly side yard to the north front balcony of 1.23m (approx. 4.04ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;
8. A northerly side yard to the porch of 1.25m (approx. 4.10ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance; and
9. A hammerhead on a lot with a frontage of 11.05m (approx. 36.25ft) whereas By-law 0225-2007, as amended, does not permit a hammerhead on a lot with a frontage of less than 15.00m (approx. 49.21ft) in this instance.

I. Floria, owner, attended and presented evidence and comment in support of the application.

### **COMMENTS**

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated 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**

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 owner who appeared before the Committee with respect to impact on abutting properties.

## **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: J. Page CARRIED

The Decision of the Committee was:

**APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITIONS:**

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

1. A garage projection of 0.48m whereas By-law 0225-2007, as amended, does not permit a garage projection in this instance;
2. A northerly side yard to the first storey of 1.25m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m in this instance;
3. A northerly side yard to the second storey of 1.25m whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m in this instance;
4. A southerly side yard of 1.2m measured to the first storey of the dwelling; whereas By-law 0225-2007, as amended, requires a minimum of 1.8m measured to the first storey;
5. A southerly side yard of 1.2m measured to the second storey of the dwelling; whereas By-law 0225-2007, as amended, requires a minimum of 2.41m measured to the second storey;
6. A southerly side yard to the south front balcony of 0.86m whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m in this instance;
7. A northerly side yard to the north front balcony of 1.23m whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m in this instance;
8. A northerly side yard setback of 1.23m measured to the front porch; whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.8m; and
9. A hammerhead on a lot with a frontage of 11.05m whereas By-law 0225-2007, as amended, does not permit a hammerhead on a lot with a frontage of less than 15.00m in this instance.
10. A dwelling unit depth of 20.4m; whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20m.

**CONDITION(S):**

1. Construction related to this variance shall be in general correspondence with the drawings presented to the Committee.

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	<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 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](mailto: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.