

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 **1911 WILL SCARLETT DRIVE.**
Date of Hearing on Thursday July 14, 2020
Date Decision Signed by the Committee July 21, 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 1:28p.m.

APPLICATION DETAILS

The applicants request the Committee to approve a minor variance to allow an addition on the subject property proposing a rear yard of 1.80m (approx. 5.91ft), whereas By-law 0225-2007, as amended, requires a rear yard of 7.50m (approx. 24.61ft) in this instance.

A. Gornik, 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 July 8, 2020)
- City of Mississauga, Transportation and Works Department (dated July 8, 2020)
- Region of Peel (dated July 8, 2020)
- Credit Valley Conservation (dated July 8, 2020)

CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A memorandum was received from Ward Councillor Mahoney expressing concerns regarding the subject application. He requested the Committee to defer the subject application.
- Correspondence was received from five area residents expressing objections to the subject application.

Two area residents attended and objected to the application. Concerns included the proximity of the addition to property lines, shadows, the health of nearby trees and privacy.

Committee asked questions of the agent who appeared before the Committee regarding the design of the proposal and alternatives available for the property.

DECISION

Committee has taken into consideration, on balance, any and all submissions made before its decision including 6 written submissions and 2 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: J. Page CARRIED

The Decision of the Committee is:

APPLICATION REFUSED:

To allow an addition on the subject property proposing a rear yard of 1.80m, whereas By-law 0225-2007, as amended, requires a rear yard of 7.50m in this instance.

Committee Decision dated at the City of Mississauga on July 21, 2020.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>ABSENT</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<u>ABSENT</u> J. KWAST
<u>"D. COOK"</u> D. COOK	

I certify this is copy of the decision of the Committee's decision given on July 21, 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 10, 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.