

**COMMITTEE OF ADJUSTMENT  
RESULTS**



**Location: COUNCIL CHAMBER**  
**Hearing: JULY 19, 2018 AT 4:00 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-049/18 A-297/18 A-298/18	2629604 ONTARIO LTD	1018 ROOSEVELT RD	1	Approved (AC)
				Approved (AC, ACP)
				Approved (AC, ACP)

**NEW APPLICATIONS - (MINOR VARIANCE)**

A-295/18	4114515 CANADA INC	5160 EXPLORER DR	5	Approved
A-296/18	1190543 ONTARIO INC	1310 DUNDAS ST E	1	Approved (AC)
A-299/18	KIEN LE	1515 HURONTARIO ST	1	Approved (AA)
A-300/18	ROBERT BELZA	520 BOB-O-LINK RD	2	Approved (ACP)

**DEFERRED APPLICATIONS - (MINOR VARIANCE)**

A-395/17	HAZELTON DEVELOPMENT CORPORATION	4078 DIXIE RD	3	Approved (AA)
A-006/18	2539088 ONTARIO INC. C/O THE ERINDALE ACADEMY	1576 DUNDAS ST W	7	Refused
A-035/18	HTUT LIMITED	1606 SEDLESCOMB DR	3	D (Sept 20)
A-109/18	RUPINDER KAUR VIRK	3108 BONAVENTURE DR	5	Refused
A-168/18	RASHID SAIDUR, MARUFA AHMED	7269 HARWICK DR	5	Approved (AA, AIP)
A-197/18	RAJINI URUTHIRAKUMAR	5630 CORTINA CRES	5	Approved (ACP)
A-222/18	DANIEL MAHER/ ANDREA FIELD	16 MAPLE AVE N	1	Approved (ACP)
A-231/18	SHARATH CHANDRA SAMUDRALA, HEMA GANDRAKOTA	38 THEODORE DR	11	Approved
A-250/18	2052716 ONTARIO INC.	2601 MATHESON BLVD E	5	Approved (ACP)

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 by **2539088 ONTARIO INC. C/O THE ERINDALE ACADEMY**  
for the property located at **1576 DUNDAS STREET WEST.**  
Date of Hearing on Thursday July 19, 2018  
Date Decision Signed by the Committee July 26, 2018

The hearing commenced at approximately 4:01p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 4:57p.m.

### **APPLICATION DETAILS**

The applicant requests the Committee to authorize a minor variance to permit a private school on the subject property proposing:

1. A front yard of 44.96m (approx. 147.51ft) measured to the proposed addition whereas By-law 0225-2007, as amended, permits a maximum front yard of 3.00m (approx. 9.84ft) in this instance;
2. 100% of the length of a streetwall set back beyond the maximum front yard of 3.00m (approx. 9.84ft) whereas By-law 0225-2007, as amended, permits a maximum of 30% of the length of a streetwall to be set back beyond the maximum front yard of 3.00m (approx. 9.84ft) in this instance;
3. A total of 11 parking spaces to be provided on site whereas By-law 0225-2007, as amended, requires a minimum of 26 parking spaces to be provided on site in this instance;
4. An aisle width of 6.00m (approx. 19.68ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.96ft) in this instance;
5. Parking to be provided between a streetwall and a lot line that is a street line whereas By-law 0225-2007, as amended, does not permit parking between a streetwall and a lot line that is a street line in this instance; and
6. To provide parking off-site on an adjacent property whereas By-law 0225-2007, as amended, requires all parking to be provided wholly on-site in this instance.

K. Weiss, agent, attended and presented evidence in support of the application. He indicated how he had been attempting to engage the surrounding community and requested to add a variance to permit tandem parking as per Planning and Building's comments.

### **BACKGROUND**

On January 11, 2018, K. Weiss, agent, attended and presented the application to permit a private school on the subject property.

G. Kirton, a Planner from Planning & Building Department, indicated that the comments provided were based on a previously submitted proposal. He explained further information was needed for the parking variance and suggested that a parking arrangement be established between the property owners as a condition of approval.

Committee expressed concerns with there being no parking sharing agreement in place between the School and Church.

The applicant requested to defer the applicant for Church committee to make decision and put shared parking agreement into place.

The Committee consented to the request and deferred the application to the **March 22<sup>nd</sup>** hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated January 5, 2018)
- City of Mississauga, Transportation and Works Department (dated January 4, 2018)
- Region of Peel (dated January 5, 2018)
- Credit Valley Conservation (dated December 15, 2017)

On March 22, 2018, K. Weiss, agent, attended and requested to defer the application in order to finalize the parking arrangement with the church.

The Committee consented to the request and deferred the application to the **May 24<sup>th</sup>** hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated March 20, 2018)
- City of Mississauga, Transportation and Works Department (dated March 15, 2018)
- Region of Peel (dated March 16, 2018)
- Credit Valley Conservation (dated February 27, 2018)
- A letter of objection was received from the owner of 2570 Robinson Street.

On May 24, 2018, K. Weiss, agent, attended and requested to defer the application in order to give staff time to review an updated parking study and parking agreement.

The Committee consented to the request and deferred the application to the **July 19<sup>th</sup>** hearing.

Comments were received and entered into evidence from the following:

- City of Mississauga, Planning and Building Department (dated May 23, 2018)
- City of Mississauga, Transportation and Works Department (dated May 17, 2018)
- Region of Peel (dated May 22, 2018)
- Letters of objection were received from the owners of 2505 Jarvis Street, 2567 Proudfoot Street, 2558 Mindemoya Road, and 1592 Adamson Street.
- A petition of objection was submitted by the Erindale Village Association.

## **COMMENTS**

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated July 17, 2018)
- City of Mississauga, Transportation and Works Department (dated July 12, 2018)
- City of Mississauga, Community Services Department, Culture Division (dated June 29, 2018)
- Region of Peel (dated July 17, 2018)

## CORRESPONDENCE & DISCUSSION

The Secretary – Treasurer noted the comments received from:

- A memorandum was received from Ward Councillor Iannicca expressing concerns regarding the subject application. He requested the Committee to refuse the subject application.
- Correspondence was received from the residents of 2570 Robinson Street and the Erindale Village Association stating an objection to the subject application.

The residents of 2505 Jarvis Street, 2577 Robinson Street, 1502 Adamson Street, 2560 Robinson Street, 2542 Jarvis Street, 1580 Adamson Street, 2595 Jarvis Street, and one other area resident appeared before the Committee and objected to the application, expressing concerns regarding traffic, privacy, and parking.

Committee asked questions of the agent and residents who appeared before the Committee. Committee expressed concerns regarding the potential future termination of the parking arrangement and the implications on the operation of the school site.

G. Vanderkuur, Principal of the Toronto Central Academy, attended and indicated that at the Toronto Central Academy location very few students drive and it is expected most students will not be driving to the Erindale Academy. Agents from NexTrans, who authored the traffic study, attended and indicated that they believe any additional traffic from the development would be negligible and that should the parking agreement with the church fall through there are other alternatives in the area.

## DECISION

Committee has taken into consideration correspondence received from 6 area residents and 8 residents who presented at the hearing. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and find 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      SECONDED BY: D. George      CARRIED

The Decision of the Committee is:

**APPLICATION REFUSED:**

To permit a private school on the subject property proposing:

1. A front yard of 44.96m measured to the proposed addition whereas By-law 0225-2007, as amended, permits a maximum front yard of 3.00m in this instance;
2. 100% of the length of a streetwall set back beyond the maximum front yard of 3.00m whereas By-law 0225-2007, as amended, permits a maximum of 30% of the length of a streetwall to be set back beyond the maximum front yard of 3.00m in this instance;
3. A total of 11 parking spaces to be provided on site whereas By-law 0225-2007, as amended, requires a minimum of 26 parking spaces to be provided on site in this instance;
4. An aisle width of 6.00m whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m in this instance;
5. Parking to be provided between a streetwall and a lot line that is a street line whereas By-law 0225-2007, as amended, does not permit parking between a streetwall and a lot line that is a street line in this instance; and
6. To provide parking off-site on an adjacent property whereas By-law 0225-2007, as amended, requires all parking to be provided wholly on-site in this instance.

Committee Decision dated at the City of Mississauga on July 26, 2018.

<u>"S. PATRIZIO"</u> S. PATRIZIO	<u>"D. GEORGE"</u> D. GEORGE
<u>"J. ROBINSON"</u> J. ROBINSON – (CHAIR)	<b>ABSENT</b> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	<b>ABSENT</b> D. REYNOLDS
<u>"P. QUINN"</u> P. Quinn	

I certify this is copy of the decision of the Committee's decision given on July 26, 2018.

"S. KENNEY"

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

SEAN KENNEY - SECRETARY-  
TREASURER

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 15, 2018**.

**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