
Committee of Adjustment

Date: March 4, 2021
Time: 1:00 PM
Location: Online Video Conference

Members	Sebastian Patrizio	(Chair)
	David George	
	John Page	
	David Kennedy	
	Wajeeha Shahrukh	
	David Cook	
	John Kwast	

Staff Present	Shelby Clements
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1. CALL TO ORDER
2. DECLARATION OF CONFLICT OF INTEREST
3. DEFERRALS OR WITHDRAWALS
4. MATTERS TO BE CONSIDERED
- 4.1 B-12/21

41 BROADVIEW AVE (WARD 1)

MICHAEL COCORAN

The Secretary – Treasurer noted the comments received from:

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

One area residents appeared before the Committee and expressed concerns for the application.

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

The Applicant agreed with the conditions requested by city and agency staff/The applicant asked Committee to amend the conditions requested by city and agency staff as follows:

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DECISION

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

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.

DECISIONS

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

MOVED BY:	D. George	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED ON CONDITIONS AS STATED IN APPENDIX A:

To sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 8.20m and an area of approximately 501.00sq.m.

4.2 A-30/21

1047 OGDEN AVE (WARD 1)

BEGANYI LADISLAV & NATASHA SHARMA

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.

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DECISION

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

DECISIONS

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

MOVED BY:	J. Page	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of a detached garage proposing:

1. A lot coverage of 44.90% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A rear yard measured to a garage of 0.30m whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a garage of 0.61m in this instance;
3. A side yard of 3.10m whereas By-law 0225-2007, as amended, whereas By-law 0225-2007, as amended, requires a minimum side yard of 6.00m in this instance; and
4. A setback measured to the face of the garage of 3.10m whereas By-law 0225-2007, as amended, requires a minimum setback measured to the face of the garage of 6.00m in this instance.

4.3 A-54/21

1424 LEDA AVE (WARD 1)

UDOVIC, BARBARA & DOUGLAS, JONATHAN

The Secretary – Treasurer noted the comments received from:

- A memorandum was received from Ward Councillor Dasko expressing support for neighbourhoods concerns.
- Correspondence was received from six area resident expressing objections for the subject application.
- A petition of no objection signed by 5 area residents was received through the applicant.

Four area residents appeared 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 seven written submissions, four oral submissions and one petition. 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.

DECISIONS

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

MOVED BY:	J. Page	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITIONS:

To allow the construction of an addition proposing:

1. A walkway attachment of 2.43m whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.50m in this instance;
2. A driveway setback (existing) measured to a property line of 0.30m whereas By-law 0225-2007, as amended, requires a minimum driveway setback measured to a property line of 0.60m in this instance;
3. A driveway width of 6.04m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m in this instance;
4. An interior side yard (northerly) of 1.21m; whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m measured to the second storey in this instance;
5. A setback measured to an A/C unit (northerly) of 0.41m whereas By-law 0225-2007, as amended, requires a minimum setback measured to an A/C unit of 0.61m in this instance;
6. An interior side yard (southerly) of 1.22m whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m in this instance;
7. A combined width of side yards of 2.43m; whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards measured of 3.80m in this instance;
8. A setback measured from hard surface pool decking to the property line of 0.26m whereas By-law 0225-2007, as amended, requires a minimum setback measured from hard surface pool decking to the property line of 0.61m in this instance;
9. A setback measured from a hard surface patio stone path (northerly) to the property line of 0.24m whereas By-law 0225-2007, as amended, require a minimum setback measured from a hard surface patio stone path to the property line of 0.61m in this instance;
10. A setback measured from a hard surface to a concrete path (southerly) to the property line of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, require a minimum setback measured from a hard surface concrete path to the property line of 0.61m in this instance;
11. A building height measured to the highest ridge of 9.25m whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.00m in this instance;
12. A building height measured to a flat roof of 8.02m whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m in this instance; and

13. A building height measured to the eaves of 7.70m whereas By-law 0225-2007, as amended, permits a maximum building 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.

4.4 A-56/21

1821 FEATHERSTON DR (WARD 8)

D'URSO THERESA LOUISE

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.

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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.

DECISIONS

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

MOVED BY:	D. Cook	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow the construction of a new house proposing:

1. A lot coverage of 39.27% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance;
2. A side yard (westerly) measured to the eaves of 2.25m whereas By-law 0225-2007, as amended, requires a minimum side yard (westerly) measured to the eaves of 3.75m in this instance;
3. A side yard (westerly) of 2.86m whereas By-law 0225-2007, as amended, requires a minimum side yard (westerly) of 4.20m in this instance;
4. A side yard (easterly) measured to the eaves of 1.21m whereas By-law 0225-2007, as amended, requires a minimum side yard (easterly) measured to the eaves of 1.35m in this instance;
5. A garage floor area of 233.94sq.m whereas By-law 0225-2007, as amended, requires a minimum garage floor area of 75.00sq.m in this instance; and
6. A building height measured the midpoint of the highest ridge of the roof of 10.75m whereas By-law 0225-2007, as amended, permits a maximum building height measured to the midpoint of the highest ridge of the roof of 10.70m in this instance.

4.5 A-57/21

6880 SECOND LINE WEST (WARD 11)

HM ROYALTY GROUP OF COMPANIES INC

On March 4, 2021, D. Acimovic, agent, requested to defer the application to move forward with one plan to staff.

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

4.6 A-59/21

2271 FIFTH LINE WEST (WARD 2)

PATRICK HASS

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.

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.

DECISIONS

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

MOVED BY:	J. Page	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED FOR A TEMPORARY PERIOD OF 2 YEARS (approval will lapse on March 31, 2023):

To approve a minor variance on the severed lands of B36/20 to allow the existing garage and shed to remain whereas By-law 0225-2007, does not permit the existing garage and shed to remain in this instance.

2344 KENBARB RD (WARD 7)

DROZD & KRISTINA WOJCIECH, AND CHRISTOPHER PALERMO

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.

DECISIONS

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

MOVED BY:	J. Kwast	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of a basement entrance proposing:

1. A stairwell to facilitate a below grade entrance in the front yard whereas By-law 0225-2007, as amended, does not permit a stairwell to facilitate a below grade entrance in the front yard in this instance; and

2. A pedestrian entrance facing a street to facilitate a second unit whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance facing a street to facilitate a second unit in this instance.

4.8 A-62/21

851 GENOVESE PL (WARD 6)

KARTHIK RADHAKRISHNAN & PARIMALA RAMAMOORTHY

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.

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.

DECISIONS

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

MOVED BY:	D. George	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED:

To allow the construction of a below grade entrance in an exterior side yard whereas By-law 0225-2007, as amended, does not allow a below grade entrance in an exterior side yard in this instance.

4.9 A-63/21

20 HARROW ST (WARD 5)

VARINDER SINGH & KIRANPREET KAUR KANDOLA

On March 4, 2021, G. Gill, agent, requested to defer the application for redesign.

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

4.10 A-64/21

385 TRADERS BLVD E (WARD 5)

CNT DEVELOPERS INC.

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.

DECISIONS

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

MOVED BY:	W. Shahrukh	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED:

To allow the construction of an addition proposing:

1. A side yard of 3.06m whereas By-law 0225-2007, as amended, requires a minimum side yard of 4.50m in this instance.
2. A reduced landscape buffer of 3.06 whereas Bylaw 0225-2007, as amended, requires a minimum landscape buffer of 4.50m.

4.11 A-65/21

1562 PINETREE CRES (WARD 1)

AHMED GULNAZ & TABASSUM NAZLI

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from five area resident expressing objections for the subject application.

Four area residents appeared 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 five written submissions, four 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.

DECISIONS

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

MOVED BY:	J. Page	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITIONS:

To allow the construction of an addition proposing:

1. A lot coverage of 31% (344.43sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (277.05sq.m) in this instance;
2. A proposed Gross Floor Area – Infill Residential of 490.81m² proposed, whereas By-law 0225-2007, as amended, permits a maximum Gross Floor Area – Infill Residential of 411.64m² in this instance;
3. An eave encroachment in the side yard of 0.66m whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0.45m in this instance;
4. A building height measured to the eaves of 8.83m whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m in this instance;
5. A building height measured to the height of the highest ridge of 10.82m whereas By-law 0225-2007, as amended, permits a maximum building heights to the highest ridge of 9.50m in this instance;

6. A combined side yard width of 6.24m whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 7.09m in this instance;
7. A side yard measured to the second storey of 1.88m whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the second storey of 2.41m in this instance;
8. A side yard measured to the first storey of 1.43m whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the first storey of 1.81m in this instance; and
9. 2 kitchens whereas By-law 0225-2007, as amended, permits a maximum of 1 kitchen in this instance.

CONDITION(S):

1. Construction related to this variance shall be in general conformance with the plans approved by the Committee.
2. The applicant shall providing screening by way of frosted glass on the second floor rear windows that face neighbouring properties. The frosted glass screening shall be 6ft in height.

4.12 A-66/21

87 VISTA DR (WARD 11)

PETER SABATA

The Secretary – Treasurer noted the comments received from:

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

DECISIONS

Accordingly, the Committee resolves to refuse the request.

MOVED BY:	J. Page	CARRIED
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The Decision of the Committee is:

APPLICATION REFUSED:

To allow a height of an accessory structure (shed/play structure) of 4.00m whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m in this instance.

4.13 A-220/21 & A221/20

10-A PINE AVE N (WARD 1)

JESSE MACEDO

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from one area resident expressing objections 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 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 only variance(s) 3, and 4 were minor in nature, desirable for the appropriate development on the subject property, and maintain the general intent and purpose of the Zoning By-law and the Official Plan.

DECISIONS

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

MOVED BY:	J. Page	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED IN PART:

To allow the construction of a new dwelling on 10-A Pine Avenue North proposing:

1. A side yard measured to a balcony of 0.80m whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a balcony of 1.20m in the instance; and
2. A side yard measured to a basement entrance stairwell of 0.00m whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a basement entrance stairwell of 1.20m in this instance.

4.14 A-364/20

80 LAKESHORE RD E (WARD 1)

2547101 ONTARIO INC

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.

DECISIONS

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

MOVED BY:	D. Cook	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED FOR A TEMPORARY PERIOD OF 5 YEARS (approval will lapse on March 31, 2026):

To allow a restaurant proposing:

1. 3 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 33 parking spaces in this instance;
2. 0 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 2 accessible parking spaces in this instance;
3. An aisle width of 4.00m whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m in this instance;
4. A restaurant use within 60.00m of a Residential Zone whereas By-law 0225-2007, as amended, requires a minimum setback measured to Residential Zone of 60.00m in this instance; and
5. A parking stall size of 2.6m x 4.6m whereas By-law 0225-2007, as amended, requires a minimum parking stall size of 2.6m x 5.2m in this instance.

4.15 A-413/20

28 ANN ST (WARD 1)

EDENSHAW ANN DEVELOPMENTS LTD

On March 4, 2021, agent, D. Sajecki, requested to defer the application in order to meet with staff.

The Committee consented to the request and deferred the application to the March 25th, 2021 hearing.

5. OTHER BUSINESS

6. ADJOURNMENT