
Committee of Adjustment

Date: May 13, 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 B28/21-A161/21-A162/21

1078 ROOSEVELT RD (WARD 1)

CITY PARK (TESTON RD) INC

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.

The applicant agreed with the conditions requested by city and agency staff.

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DECISION

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

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.

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
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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 has a frontage of approximately 14.00m and an area of approximately 716.00sq.m.

CONDITIONS:

1. The variance application approved under File(s) A161/21 & A162/21 must be finalized.

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 SUBJECT TO CONDITIONS:

To allow the construction of a new house on the severed lands of application B28/21 proposing a lot frontage of 14.00m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m in this instance.

CONDITION(S):

1. Variance(s) approved under file(s) A161/21 & A162/21 shall lapse if the consent application under file B28/21 is not finalized within the time prescribed by legislation.

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 a new house on the retained lands of application B28/21 proposing:

1. A lot area of 491.00sq.m whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m in this instance;
2. A lot frontage of 14.00m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m in this instance; and
3. A side yard measured to a second storey of 1.25m whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a second storey of 1.80m in this instance.

CONDITION(S):

1. Variance(s) approved under file(s) A161/21 & A162/21 shall lapse if the consent application under file B28/21 is not finalized within the time prescribed by legislation.

4.2 B30/21

428 TEDWYN DR (WARD 7)

PASQUALE & OFELIA NASTURZIO

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 agreed with the conditions requested by city and agency staff.

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DECISION

Committee has taken into consideration 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
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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 17.72m and an area of approximately 800.50sq.m.

4.3 A155/21

1638 BRISTOL RD W (WARD 6)

PARDEEP & NEELAM ATRE

The Secretary – Treasurer noted the comments received from:

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

Committee asked questions of the owner 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 one written submission, and one oral 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 AS AMENDED SUBJECT TO CONDITIONS:

To allow a widened driveway on the subject property proposing a driveway width of 7.5m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m in this instance.

CONDITION(S):

1. Construction related to this variance shall be in general conformance with the site plan approved by the Committee.

4.4 A158/21

2990 BRITANNIA RD W (WARD 9)

SUNCOR ENERGY INC

On May 13, 2021, S. Popovich, agent spoke, and requested to defer the application to recirculate the application to include an additional variance.

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

4.5 A159/21

5835 AIRPORT RD (WARD 5)

SUNCOR ENERGY 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:	J. Page	CARRIED
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The Decision of the Committee is:

APPLICATION APPROVED:

To allow an accessory restaurant proposing:

1. A gross floor area of an accessory take-out restaurant of 69.00sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of an accessory take-out restaurant of 30.00sq.m in this instance; and
2. 6 indoor seats whereas By-law 0225-2007, as amended, does not permit indoor seating in this instance.

4.6 A166/21

119 ANGELENE ST (WARD 1)

ZITO & JANET BACCARANI

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

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

APPLICATION APPROVED:

To allow an accessory structure (shed) proposing a lot coverage of 39.30% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance.

4.7 A169/21

268 ANTHONY AVE (WARD 5)

BALAKUMAR PILLAI

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:

To allow a below grade entrance proposing an interior side yard setback of 0.61m whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m in this instance.

4.8 A172/21

4152 STONEMASON CRES (WARD 8)

TARIQ AYUBI & SAMIRA NAGDEE

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from one area resident expressing no objection to the subject application.

One area resident appeared before the Committee and asked questions regarding the application. They expressed no objection to the application.

Committee asked questions of the owner 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 and one oral 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 an inground pool proposing 1.52m from a G1 Zone (Greenlands) whereas By-law 0225-2007, as amended, requires a minimum setback to a G1 Zone of 5.00m in this instance.

4.9 A173/21

2812 TRADEWIND DR (WARD 9)

RYAN & ALINA BURTON

On May 13, 2021, G. Tari, agent, spoke, and requested to defer the application to meet with staff.

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

4.10 A185/21

3485 SEMENYK CRT (WARD 6)

QUEENSWAY NOODLES LTD

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

APPLICATION APPROVED AS AMENDED:

To allow:

1. An outdoor patio on the property whereas, Bylaw 0225-2007, as amended does not permit an outdoor patio in this instance.
2. An outdoor patio to be within the required 4.5m landscape buffer whereas, By-law 0225-2007, as amended, does not permit anything to be within the required 4.5m landscape buffer in this instance.

4.11 A238/20

1064 GREAVES AVE (WARD 1)

KYLIE CAMPBELL

The Secretary – Treasurer noted the comments received from:

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

One area resident appeared before the Committee and expressed objections to 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 two written submissions, and one oral 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 AS AMENDED SUBJECT TO CONDITIONS:

To allow a side yard setback measured to hard landscaping of 0.29m whereas By-law 0225-2007, as amended, requires a minimum side yard setback measured to hard landscaping of 1.20m in this instance.

CONDITION(S):

1. The proposed concrete surface along the north side of the existing garage shall be designed such that the surface drainage will be self-contained within the applicant's own lands and not drain onto the adjacent property to the north. A letter stating that satisfactory arrangements have been made with regards to the drainage, shall be received by the Committee of Adjustment Office from the Transportation and Works Department.

4.12 A460/19

1499 TROTWOOD AVE (WARD 1)

ANTONETTE BORG ESTRELA & JOSE B ESTRELA

No public comments were received as a result of this 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, on balance, any and all submissions made before its decision including one written submission 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 a widened driveway proposing:

1. A driveway width of 11.50 m for that portion of the driveway that is within 6.0 m of the garage face whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50 m for that portion of the driveway that is within 6.0m of the garage face and which is providing direct vehicular access to the garage in this instance;
2. A driveway width of 10 m for that portion of the driveway that is beyond 6.0 m of the garage face whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m for that portion of the driveway that is beyond 6.0 m of the garage face in this instance;
3. A walkway attached to a driveway with a width of 3.70m on the west side of the driveway whereas By-law 0225-2007, as amended, permits a walkway attached to a driveway with a maximum width of 1.50m in this instance.

CONDITION(S):

1. Construction related to this variance shall be in general conformance with the site plan approved by the Committee.

5. OTHER BUSINESS

6. ADJOURNMENT