
Committee of Adjustment

Date: May 6, 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 B25/21

1470 PINETREE CRES (WARD 1)

CARLO VAIRO

The Secretary – Treasurer noted the comments received from:

- A memorandum was received from Ward Councillor Dasko expressing no objection for the subject application.
1. Martin, Transportation and Works Department, spoke before the Committee regarding other dedication along Stavebank Creek and expressed his departments concerns.

Committee asked questions of the agents 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 one written submission.

The Committee, having regard to those matters under subsection 53(23) of the Planning Act R.S.O. 1990, c. P.13., as amended, resolves to approve a change of the conditions of provisional consent for application B33/20.

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 SUBJECT TO A CONDITION:

To change conditions #4 and #5 of Provisional Consent approved under file B33/20. The parcel of land has a frontage of approximately 30.37m and an area of approximately 1,034sq.m.

1. Condition #4 of Provisional Consent to be amended to reduce the land dedication and to provide a maintenance easement.
2. Condition #5 of Provisional Consent to be amended to fencing installation to be located around the land dedication (on the stable slope line) and not on the maintenance easement.

CONDITIONS:

1. Location of the easement and dedication shall be in general conformance with the site plan approved by the Committee.

4.2 B29/21-A167/21-A168/21

2552 GLENGARRY RD (WARD 7)

AGNESE MINICUCCI

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.

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. 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 15.25m and an area of approximately 812.50sq.m.

CONDITIONS:

1. The variance application approved under File(s) A167/21 & A168/21 must be finalized.

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 SUBJECT TO CONDITIONS:

For the Severed lands (file A167/21) a lot frontage of 15.25m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m in this instance.

CONDITION(S):

1. Variance(s) approved under file(s) A167/21 & A168/21 shall lapse if the consent application under file B29.21 is not finalized within the time prescribed by legislation.

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 SUBJECT TO CONDITIONS:

For the Retained lands (file A168/21) a lot frontage of 15.25m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m in this instance.

CONDITION(S):

1. Variance(s) approved under file(s) A167/21 & A168/21 shall lapse if the consent application under file B29.21 is not finalized within the time prescribed by legislation.

4.3 A149/21

7602 BENAVAL RD (WARD 5)

JATINDER KALKAT & SUKHBIR KAUR

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:	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 15.25m and an area of approximately 812.50sq.m.

CONDITIONS:

1. The variance application approved under File(s) A167/21 & A168/21 must be finalized.

4.4 A153/21

2819 GULFSTREAM WAY (WARD 9)

JOSEPH LAWRENCE

On May 6, 2021, M. Lawrence, agent, and requested to defer the application to meet with staff.

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

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 an interior side yard measured to the second storey of 1.24m whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the second storey of 1.81m in this instance.

4.5 A160/21

7113 BASKERVILLE RUN (WARD 11)

ROBERTA BENDERA & FRANCESCO CARACCIOLO

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from one area resident expressing no objection for the subject application.
- A petition of no objection was received signed by two area residents.

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 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:

To allow an existing shed to remain proposing:

1. A setback measured from the shed to the side lot line of 0.43m whereas By-law 0225-2007, as amended, requires a minimum setback measured from a shed to a side lot line of 0.61m in this instance; and

2. A setback measured from the shed to the rear lot line of 0.30m whereas By-law 0225-2007, as amended, requires a minimum setback measured from a shed to a rear lot line of 0.61m in this instance.

4.6 A163/21

720 HILLMAN CRES (WARD 3)

SNOBAR NASER TAREQ

On May 6, 2021, N. Snobar, owner, spoke, and requested to defer the application to meet with staff.

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

4.7 A164/21

3080 WINDWOOD DR (WARD 9)

1795572 ONTARIO LTD

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from seven area residents 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 seven 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.

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 alteration of the existing parking lot proposing:

1. A landscape buffer of 0.00m whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.50m in this instance; and
2. A setback measured from a driveway to a G1 Zone (Greenlands) of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback measured from a driveway to a G1 Zone of 6.00m in this instance.

4.8 A165/21

569 FAIRVIEW RD W (WARD 7)

PENG JUE

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from two area residents expressing support 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 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 widened driveway proposing a driveway width of 8.00m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m in this instance.

4.9 A17/21

6612 LISGAR DR (WARD 10)

ALI HABEEB & GHADA HAMZA

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from two area residents expressing objections for the subject 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 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.

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 a widened driveway on the subject property proposing a driveway width of 7.50m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m in this instance.

4.10 A63/21

20 HARROW ST (WARD 5)

VARINDER SINGH & KIRANPREET KAUR KANDOLA

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:	D. George	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 subject property proposing:

1. A lot coverage of 32.48% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% of the lot area in this instance;
2. A gross floor area of 290.24sq.m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 248.48sq.m in this instance; and
3. A height measured to the eaves of 6.6m whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.4m in this instance; and
4. A lot area of 492.39sq.m whereas By-law 0225-2007, as amended, requires a minimum lot area of 500.00 sq.m in this instance.

CONDITION(S):

1. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of dwelling unit within 300m of the railway right-of-way: "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity,

notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

5. OTHER BUSINESS

6. ADJOURNMENT