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## Committee of Adjustment

**Date:** January 14, 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 A395/20

3256 CORALBEAN PL (WARD 10)

AKRAM & RANA KHALILIEH

The Secretary – Treasurer noted the comments received from:

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

Two area residents spoke before the Committee and expressed concerns for the application and objected the size of the Gazebo.

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

Committee discussed if the structure should be considered an accessory structure or a covered porch.

1. Herczeg, Planning and Building Department spoke regarding that the structure is to be considered as an accessory structure and that the height is nominal in nature.

## **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 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:	D. George	CARRIED
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The Decision of the Committee is:

### **APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITION:**

To allow the construction of an accessory structure proposing:

1. A lot coverage of 43% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40% of the lot area in this instance;
2. A maximum height of an accessory building on a lot less than 750m<sup>2</sup> of 3.8m whereas by-law 0225-2007, as amended permits a maximum height of an accessory building on a lot less than 750m<sup>2</sup> of 3.0m.
3. A maximum floor area of an accessory building on a lot less than 750m<sup>2</sup> of 15.7m<sup>2</sup> whereas by-law 0225-2007, as amended permits a maximum floor area of an accessory building on a lot less than 750m<sup>2</sup> of 10m<sup>2</sup>.

### **CONDITION:**

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

#### 4.2 A403/20

3247 CAPRICORN CRES (WARD 5)

HARWINDER NATT

On January 14, 2021, P. Pimentel, agent, requested to defer the application to reduce the size of the dwelling and meet with staff.

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

4.3 A408/20

3464 SUNLIGHT ST (WARD 10)

STULP MICHAEL AND MC TAGGART SHANNON

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. Kennedy	CARRIED
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The Decision of the Committee is:

**APPLICATION APPROVED SUBJECT TO A TERM:**

To allow the construction of a pool proposing a waterline setback from enclosure of 0.60m whereas By-law 0225-2007, as amended, requires a minimum waterline setback from the enclosure of 1.50m in this instance.

**TERM:**

1. No gardens shall be planted along the rear property line.

4.4 A410/20

4358 SHELBY CRES (WARD 3)

TANIA &amp; CHARBEL NOUR

On January 14, 2021, N. Dell, agent, requested to defer the application to identify if an additional coverage variance is required.

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

4.5 A411/20

1744 MEYERSIDE DR (WARD 5)

2079524 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:	J. Page	CARRIED
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The Decision of the Committee is:

**APPLICATION APPROVED AS AMENDED SUBJECT TO CONDITIONS:**

To approve a minor variance to allow:

1. 43 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 81 parking spaces in this instance;
2. Aisle widths of 5.46m and 6.00m whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m in this instance; and
3. Tandem parking whereas By-law 0225-2007, as amended, does not permit tandem parking in this instance.

**CONDITION(S):**

1. Construction related to this variance shall be in general conformance with the site plan approved by the Committee; and
2. The maximum gross floor area (GFA) dedicated for motor vehicle body repair facilities and motor vehicle repair facilities shall be 1,681.00 m<sup>2</sup> (5,515.09 sq. ft.), the maximum gross floor area (GFA) dedicated for office uses shall be 362.00 m<sup>2</sup> (1,187.66 sq. ft.).

4.6 A412/20

70 WORLD DR (WARD 5)

WORLD DRIVE CENTRE 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.

Committee discussed City initiated rezoning application for the site. L. Petricca, Planning and Building, spoke, stated that there was city initiated rezoning of the property and that accessory personal service establishment is permitted in the Zone however that Zoning is under appeal. This application is purposing a personal service establishment as the primary use for this unit.

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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, 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:	D. Cook	CARRIED
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The Decision of the Committee is:

**APPLICATION REFUSED:**

To allow a personal service establishment on the subject property whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

4.7 **A416/20**

4099 ERIN MILLS PKY (WARD 8)

CITRUSLAND INVESTMENTS INC

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from five area residents expressing concerns for the subject application.

One area resident appeared before the Committee and expressed concern for the application.

Committee asked questions of the agent who appeared before the Committee. The Committee discussed there jurisdiction on other matters than may be of concern to residents like garbage collection in the plaza.

### **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, one 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:	D. Kennedy	CARRIED
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The Decision of the Committee is:

### **APPLICATION APPROVED AS AMENDED:**

The applicant requests the Committee to approve a minor variance to allow a take-out restaurant within 60m of a Residential Zone whereas By-law 0225-2007, as amended, requires a minimum setback of 60m from a Residential Zone in this instance.

#### **4.8 A417/20**

1060 WALDEN CIR (WARD 2)

MICHELLE POTTRUFF

The Secretary – Treasurer noted the comments received from:

- A petition of support signed by 3 area residents was received through the agent.

### **DECISION**

Committee has taken into consideration, on balance, any and all submissions made before its decision including 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:	D. Cook	CARRIED
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The Decision of the Committee is:

### **APPLICATION APPROVED:**

To allow the construction of an enlarged rear balcony on the subject property proposing:

1. A balcony projection of 4.06m whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m in this instance; and
2. The area below the balcony to be considered as landscaped area whereas By-law 0225-2007, as amended, does not allow the area below the balcony to be considered as landscaped area in this instance.

4.9 A418/20

334 DUNDAS ST E (WARD 7)

REALWELL INVESTMENTS INC

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:	S. Patrizio	CARRIED
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The Decision of the Committee is:

### **APPLICATION APPROVED SUBJECT TO CONDITIONS:**

To allow an outdoor patio area whereas By-law 0225-2007, as amended, does not permit an outdoor patio area in this instance.

### **CONDITION(S):**

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

4.10 A2/21

3359 JUNE BERRY RD (WARD 10)

GHASSAK SALIH & AWATIF ABDUL RAZAK

On January 14, 2021, G. Salih, owner, requested to defer the application to better understand staff comments and potentially hire an agent.

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

4.11 A3/21

3102 BONAVENTURE DR (WARD 5)

SURJIT SEKHEN & AMARJIT GILL

On January 14, 2021, G. Gill, agent, requested to defer the application to address staff comments.

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

4.12 A4/21

1106 WINDBROOK GROVE (WARD 6)

BINA SOOD

The Secretary – Treasurer noted the comments received from:

- Correspondence was received from one area resident expressing no object 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 a rear yard from a G2-2 zone measured to a window well of 2.34m whereas By-law 0225-2007, as amended, requires a minimum rear yard from a G2-2 zone measured to a window well of 6.89m in this instance.

#### **4.13 A6/21**

7429 PICKFAIR DR (WARD 5)

PARMINDER & BALVIR PABLA

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

### **APPLICATION APPROVED:**

To allow an addition proposing:

1. A lot coverage of 35.90% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance; and
2. A dwelling depth of 20.21m whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m in this instance.

#### 4.14 A7/21

99 RATHBURN RD W (WARD 4)

SQUARE ONE PROPERTY CORP & OMERS REALTY MANAGEMENT CORP

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.

1. Petricca, Planning and Building Department, spoke in regards to the holding symbol on the property.

### **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:	S. Patrizio	CARRIED
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The Decision of the Committee is:

### **APPLICATION APPROVED FOR A TEMPORARY PERIOD OF 4 YEARS (approval will lapse on Jan, 31, 2025):**

To allow all permitted uses within C1-C4 zones on the subject property whereas By-law 0050-2013, as amended, does not permit such uses in this instance.

#### 4.15 A8/21

189 RATHBURN RD W (WARD 4)

SQUARE ONE PROPERTY CORP & OMERS REALTY MANAGEMENT CORP

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.

1. Petricca, Planning and Building Department, spoke in regards to the holding symbol on the property.

### 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:	S. Patrizio	CARRIED
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The Decision of the Committee is:

**APPLICATION APPROVED FOR A TEMPORARY PERIOD OF 4 YEARS (approval will lapse on Jan, 31, 2025):**

To allow all permitted uses within C1-C4 zones on the subject property whereas By-law 0050-2013, as amended, does not permit such uses in this instance.

5. OTHER BUSINESS
6. ADJOURNMENT