APRIL 16, 2019
9:00 A.M.
COUNCIL CHAMBERS
4TH FLOOR, CITY HALL

MEMBERS:
Mario Russo, Chair
Ron Chatha, Vice-Chair
Robert Crouch
Desiree Doerfler
Richard Nurse

STAFF:
Rob Nykyforchyn, Development Planner
Kevin Freeman, Development Planner
Shelby Swinfield, Development Planner
Bernie Steiger, Manager, Development Services
Bennett Hannam, Plans Examiner, Zoning
Elizabeth Corazzola, Manager, Zoning and Sign By-Law Services
Jeanie Myers, Secretary-Treasurer

ADOPTION OF MINUTES: Minutes of meeting held March 26, 2019

DECLARATIONS OF INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT:

WITHDRAWALS/DEFERRALS:

NEW CONSENT APPLICATIONS

(1)

B19-005 R-CHAD INVESTMENT INC. BLOCK 133, PLAN 43M-1969,
675, 685, 695 AND 705 REMEMBRANCE ROAD
WARD 6

The purpose of the application is to request the consent of the Committee of Adjustment to the grant of an easement in excess of 21 years. The effect of the application is to establish easements for access and passage along and upon all driveways and vehicular passageways and entrances and exits in favour of the neighbouring property legally described as Block 132 on Registered Plan 43M-1969. (Concurrent Consent Application B19-006)
(2)

**B19-006**  R-CHAD PROPERTIES INC.  
**BLOCK 132, PLAN 43M-1969,**  
**625, 635, 645, 655 AND 665 REMEMBRANCE ROAD**  
**WARD 6**

The purpose of the application is to request the consent of the Committee of Adjustment to the grant of an easement in excess of 21 years. The effect of the application is to establish easement for access and passage along and upon all driveways and vehicular passageways and entrances and exits in favour of the neighbouring property legally described as Block 133 on Registered Plan 43M-1969. (Concurrent Consent Application B19-005)

(3)

**B19-007**  FERCAP HOLDINGS INC.  
**LOTS 6, 7 AND 8, PLAN M-773**  
**81 AND 91 DELTA PARK BOULEVARD**  
**WARD 8**

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 2.47 hectares (6.10 acres) comprising two lots that have merged on title. The severed lot has a frontage of approximately 51.81 metres (169.98 ft.) and an area of approximately 0.77 hectares (1.90 acres). The effect of the application is to re-establish a former boundary line between 81 Delta Park Boulevard and 91 Delta Park Boulevard to reinstate two separate lots.

(4)

**B19-008**  LONG HAUL HOLDINGS INC.  
**PART OF LOT 5, CONC. 7 ND.**  
**8970 GOREWAY DRIVE**  
**WARD 8**

The purpose of the application is to request the consent of the Committee of Adjustment to grant an easement having a width of approximately 5.0 metres (16.40 feet), a depth of approximately 73.2m (240.06 feet) and an area of approximately 350 square metres (3,767.37 square feet). The effect of the application is to create an easement in favour of the adjacent property, municipally known as 3455 Queen Street East to facilitate the future maintenance and operation of an existing watermain.

### NEW MINOR VARIANCE APPLICATIONS

(5)

**A18-091**  SURUJDAI ODIT  
**LOT 221, PLAN 43M-1681**  
**24 EASTWAY STREET**  
**WARD 8**

The applicant is requesting the following variances:
1. To permit an existing driveway width of 9.7m (31.82 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.);

2. To permit 0.0 metres of permeable landscaping between the driveway and side property line whereas the by-law requires a minimum of 0.6m (1.97 ft.);

3. To permit a rear yard setback of 5.01m (16.44 ft.) to a proposed single-storey sunroom addition whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.);

4. To permit an existing accessory structure to be located in an exterior side yard whereas the by-law does not permit an accessory structure to be located in an exterior side yard;

5. To permit an accessory structure having a gross floor area of 15.46 sq. m (166.41 sq. ft.) whereas the by-law permits a maximum gross floor area of 15 sq. m (161.45 sq. ft.) for an individual accessory structure;

6. To permit two (2) existing accessory structures having a combined gross floor area of 22.15 sq. m (238.42 sq. ft.) whereas the by-law permits two (2) accessory structures with a combined total gross floor area of 20.0 sq. m (215.28 sq. ft.);

7. To permit an existing accessory structure within an exterior side yard having a side yard setback of 0.28m (0.92 ft.) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to all lot lines;

8. To permit an existing accessory structure having an interior side yard setback of 0.0 metres whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to all lot lines;

9. To permit an accessory structure to be used as habitable space (installation of sink) whereas the by-law does not permit accessory structures to be used for human habitation;

10. To permit a below grade entrance in the exterior side yard whereas the by-law does not permit a below grade entrance in an exterior side yard.

The applicant is requesting the following variances:

1. To permit a retaining wall to be located within the required open space whereas the by-law does not permit a retaining wall to be located within the required landscape open space;
Committee of Adjustment Agenda

2. To provide a total of 145 resident and visitor parking spaces whereas the by-law requires a minimum of 207 parking spaces;

3. To permit a front yard setback of 1.5m (4.92 ft.) to a hydro transformer whereas the by-law requires a minimum front yard setback of 4.5m (14.76 ft.) to a hydro transformer;

4. To permit an interior side yard setback of 1.5m (4.92 ft.) to a hydro transformer whereas the by-law requires a minimum interior side yard setback of 9.0m (29.53 ft.).

(7)

A19-050  RAJNEESH AND RAJNI PRABHAKAR  LOT 8, PLAN 43M-1811
          150 BLOOMSBURY AVENUE  WARD 10

The applicants are requesting the following variances:

1. To permit a deck having a rear yard setback of 4.54m (14.89 ft.) whereas the by-law requires a minimum setback of 7.5m (24.60 ft.);

2. To permit a rear yard setback of 5.2m (17.06 ft.) to a proposed single-storey sunroom addition whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.);

3. To permit a single-storey sunroom addition having a rear yard setback of 7.7m (25.26 ft.) from a floodplain zone whereas the by-law requires a minimum setback of 10.0m (32.80 ft.) from a floodplain zone;

4. To permit an existing fence having a maximum height of 2.5m (8.20 ft.) whereas the by-law permits a maximum fence height of 2.0m (6.56 ft.).

(8)

A19-051  SUKHDEV PANDHER  PART OF LOTS 10 & 11, CONC. 6 WHS
          2838 BOVAIRD DRIVE WEST  WARD 6

The applicant is requesting the following variance:

1. To permit a summer educational camp whereas the by-law does not permit a summer educational camp.
The applicants are requesting the following variances for a temporary period of five (5) years:

1. To permit truck parking and trailer storage with an associated office trailer on the property whereas the by-law does not permit outdoor storage of goods, material and equipment;

2. To permit a landscape open space strip of 0.0 metres in the side yard whereas the by-law requires that 50% of the required side yard from the required front yard to the rear wall of the rearmost building be landscaped open space;

3. To permit a front yard setback of 14.0m (45.93 ft.) whereas the by-law requires a minimum front yard setback of 20.0m (65.60 ft.).

The applicants are requesting the following variance:

1. To permit a below grade entrance in an exterior side yard whereas the by-law does not permit a below grade entrance in an exterior side yard.

The applicants are requesting the following variance:

1. To permit an interior side yard setback of 1.1m (3.61 ft.) to an above grade side entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.) to an above grade side entrance.
The applicant is requesting the following variance:

1. To permit a below grade entrance to be located between the main wall of the dwelling and a flankage lot line whereas the by-law does not permit a below grade entrance to be constructed between the main wall and a flankage lot line.

The applicant is requesting the following variances:

1. To permit an existing exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard;

2. To permit an interior side yard setback of 0.0 metres to the exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.) on one side and 0.9m (2.95 ft.) on the other side.

The applicants are requesting the following:

1. To expand the existing legal non-conforming single detached dwelling whereas the by-law only permits a townhouse dwelling;

2. To permit a rear yard setback of 4.58m (15.03 ft.) to a proposed one storey addition whereas the by-law requires a minimum rear yard setback of 7.6m (24.93 ft.);
3. To permit an interior side yard setback of 1.317m (4.32 ft.) to a proposed one storey addition whereas the by-law requires a minimum interior side yard setback of 3.6m (11.81 ft.);

4. To permit an interior side yard setback of 1.22m (4.00 ft.) to a proposed roof over an existing below grade entrance whereas the by-law requires a minimum interior side yard setback of 3.6m (11.81 ft.).

(15)

A19-058 SANDRA LINARDI
LOT 183, PLAN M-518
8 HODGSON STREET
WARD 3

The applicant is requesting the following variances:

1. To permit lot coverage of 33.4% whereas the by-law permits maximum lot coverage of 30%;

2. To permit an existing driveway width of 7.6m (24.93 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

(16)

A19-059 SHADA FIGLIOMENI
LOT 43, PLAN M-653
49 INDER HEIGHTS DRIVE
WARD 2

The applicant is requesting the following variance:

1. To permit an accessory building (cabana) having a gross floor area of 33.36 sq. m (359.08 sq. ft.) whereas the by-law permits a maximum gross floor area of 15 sq. m (161.46 sq. ft.) for an individual accessory building. {Note: Approval granted under Application A17-130 permits an accessory building (cabana) having a maximum gross floor area of 26.86 sq. m (289.12 sq. ft.)}

(17)

A19-060 LAKEVIEW HOMES (MAVIS-STEELES) INC.
LOT 46, PLAN 43M-2064
0 MOFFATT AVENUE
WARD 4

The applicant is requesting the following variance associated with a proposed single detached dwelling:
1. To permit a maximum interior garage width of 55% of the dwelling unit whereas the by-law permits a maximum interior garage width of 50% of the dwelling unit width.

(18)

A19-061   LAKEVIEW HOMES (MAVIS-STEELES) INC.   LOT 53, PLAN 43M-2064
           21 HENDRICKS CRESCENT
           WARD 4

The applicant is requesting the following variance associated with a proposed single detached dwelling:

1. To permit a maximum interior garage width of 56% of the dwelling unit whereas the by-law permits a maximum interior garage width of 50% of the dwelling unit width.

(19)

A19-062   AUTOBAHN FREIGHT HOLDINGS INC.   PART OF BLOCK 3, PLAN M-618
           27 AUTOMATIC ROAD
           WARD 8

The applicant is requesting the following variances:

1. To permit a truck sales office having a maximum gross floor area of 464.5 sq. m (5,000 sq. ft.) whereas the by-law does not permit the use;

2. To permit a commercial motor vehicle repair shop having a maximum gross floor area of 464.5 sq. m (5,000 sq. ft.) whereas the by-law does not permit the use;

3. To permit a maximum 824 sq. m (8,870 sq. ft.) outdoor display area associated with a truck sales office whereas the by-law does not permit the use;

4. To permit tire sales and parts storage having a maximum gross floor area of 238 sq. m (2,561.81 sq. ft.) whereas the by-law does not permit the use.
DEFERRED MINOR VARIANCE APPLICATIONS

(20)

A17-175 ROYAL EMPIRE GROUP INC. PART. OF LOT 17, CONC. 6 EHS
5923 MAYFIELD ROAD
WARD 10

The applicant is requesting the following variances:

1. To permit outside storage on the property for a temporary period of five (5) years whereas the by-law does not permit the use;

2. To permit outside storage (parking) of oversized motor vehicles (tractor cabs and trailers) on the property for a temporary period of five (5) years whereas the by-law does not permit the use;

3. To permit 25% of the front yard to be comprised of landscaped open space whereas the by-law requires a minimum 70% of the front yard to be landscaped open space;

4. To permit the temporary use of the existing residential dwelling as an office associated with the outside storage whereas the by-law does not permit an office.

(21)

A18-139 FATEH DEVELOPMENTS INC. PART. LOT 5, CONC. 3 WHS.
PARTS. 1 & 3, PLAN 43R-33499
1453 QUEEN STREET WEST
WARD 4

The applicant is requesting the following variances:

1. To permit a restaurant (Dining and Take-Out) whereas the by-law does not permit the proposed use;

2. To vary Schedule ‘C’, Section 206 of the by-law to permit the building area to expand outside of the area identified on Schedule ‘C’ whereas the by-law requires that all buildings and structures be constructed in accordance with Schedule ‘C’, Section 206 of the by-law;

3. To vary Schedule ‘C’, Section 206 of the by-law to permit the parking area to expand into the landscaped open space area identified on Schedule ‘C’ whereas the by-law requires that parking be permitted in the area identified on Schedule ‘C’, Section 206 of the by-law.