

**COMMITTEE OF ADJUSTMENT**  
**NOTICE OF HEARING**  
**MINOR VARIANCE APPLICATION**

**WEDNESDAY JULY 8, 2020**

**File No.: A 010-20**

**Location of Subject Property: 354 Newlove Drive**

**Property Owner: Anna Mistal**

**Purpose of Minor Variance: The applicant is requesting relief from Zoning By-law 2006 50, as amended to a) permit an Interior side yard setback of 1.5 meters on driveway side and permit a Building Area (maximum) of 35%.**

You are receiving this Notice as you are either the applicant, an owner of land within 60 metres of the subject land, or a person or public body who has requested to be notified.

Due to continuing efforts to contain the spread of COVID-19 and to protect individuals, Town Hall will not be open to the public to attend Committee of Adjustment Hearings until further notice.

**Applicants**

The applicant or any authorized person acting on behalf of the applicant may participate in the hearing through the electronic method provided by the Secretary-Treasurer/Legislative Services.

**Public**

Members of the public may access the meeting details on the above noted hearing date and time on the Town's website at <https://calendar.caledon.ca/meetings> or by telephone at 416-216-5643 Canada Toll (Toronto)  
Meeting Access Code: 132 966 5501#  
416-216-5643 Canada Toll (Toronto)  
Meeting Access Code: 132 120 1889 #

**Delegations**

If you wish to speak to an application referenced on the agenda package, please visit the Town's website Committee of Adjustment page to submit the online delegation request form. <https://www.caledon.ca/en/government/committee-of-adjustment.aspx#>

**Written Comments**

In accordance with Ontario Regulation 200/96, written comments may be sent to the Secretary-Treasurer of the Committee of Adjustment by regular mail or e-mail prior to the above-noted hearing date. Such written comments will form part of the public record.

**Additional Information**

Additional information regarding the application can be obtained by contacting the Secretary-Treasurer(s) of the Committee of Adjustment. Staff Reports can be made available on the Friday before the hearing date.

If you wish to be notified of the Decision of the Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer, Committee of Adjustment by mail or email to [COFA.Agenda@caledon.ca](mailto:COFA.Agenda@caledon.ca).

If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed minor variance does not make written submission to the Committee of Adjustment before it approves or refuses the variance(s), the Local Planning Appeal Tribunal may dismiss the appeal.



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Caledon, ON L7C 1J6  
[www.caledon.ca](http://www.caledon.ca)  
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**Local Planning Appeal Tribunal**

The applicant, the Minister or any other person or public body who has an interest in the matter may, within TWENTY DAYS (20) of the making of the decision appeal to the Tribunal against the decision of the committee by filing with the Secretary-Treasurer of the committee a Notice of Appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee charged by the Tribunal under the Local Planning Appeal Tribunal Act, 207, as payable on an appeal from a committee of adjustment to the Tribunal. For more information on the prescribed fee and to obtain a copy of the appeal from, please visit the LPAT website at <http://elto.gov.on.ca>.

Staff note a cheque is required to be submitted payable to the Town of Caledon for \$209 for the preparation of the file materials to be forwarded to LPAT.

The land which is the subject of the application is also the subject of an application under the *Planning Act* for:

Official Plan Amendment:	Not Applicable
Zoning By-law Amendment:	Not Applicable
Consent:	Not Applicable
Minor Variance:	Not Applicable

**DATED AT THE TOWN OF CALEDON THIS 18TH DAY OF June 2020.**

Additional information regarding this notice may be obtained between 8:30 a.m. to 4:30 p.m. Monday to Friday by calling 905-584-2272 ext. 4265/4291 or [COFA.Agenda@caledon.ca](mailto:COFA.Agenda@caledon.ca).





**Subject Property**



**Minor Variance**

**A 010-20  
Anna Mistal**

**354 Newlove Drive**

**Part Lot 136, Registered Plan 876**

**LOCATION MAP**



**TOWN OF CALEDON**

**Date: February 19, 2020**

**File No.: A 010-20**

# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE

(Under section 45 of the *Planning Act*, R.S.O. 1990, as amended for relief from the Town's Comprehensive Zoning By-law)

Personal information on this form is collected pursuant to the *Planning Act* and will be used in the processing of the application. Applicants are advised that the Committee of Adjustment is a public process in which all material provided may be considered public information and may be made available upon request. Questions should be forwarded to the Municipal Freedom of Information Coordinator at 905-584-2272.

**RECEIVED**

FEB 19 2020

**PLANNING DEPARTMENT**

File Number: A 010 - 20

TAX ASSESSMENT ROLL NUMBER:

1. NAME OF OWNER

ANNA MISTAL

NAME OF AUTHORIZED AGENT

STREET & NUMBER

354 NEWLOVE DRIVE

STREET & NUMBER

CITY

BOLTON

POSTAL CODE

L7E 1Z5

CITY

POSTAL CODE

TELEPHONE

FAX/E-MAIL

TELEPHONE

FAX/E-MAIL

2. OFFICIAL PLAN

(current designation of subject land)

R1

ZONING

(current zoning of subject land)

R1

3. PROPOSED RELIEF - list variance(s) requested

a) Interior side yard setbacks of 1.5197 meters on driveway side

b) Max building area of 30.2%

4. EXPLANATION AND DESCRIPTION OF PROPOSAL - the reason why the proposal cannot comply with the provisions of the zoning by-law

a) extent of current carport bring to conformity

b) 5.2% more lot area coverage

5. LEGAL DESCRIPTION -

Lot 136 Concession \_\_\_\_\_ Former Township \_\_\_\_\_

OR

Lot 136 Registered Plan PLAN 876

6. MUNICIPAL ADDRESS - of subject property

Number 354 Street or Road Name NEWLOVE DRIVE



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7. DIMENSIONS OF LAND AFFECTED (metric units):

Frontage: 15.240m Depth: 42.977m. Area: 654.96948 SQ.M.

8. Date of acquisition by current owner(s): DECEMBER 9, 2016

9. ACCESS to subject property is by: (please check one)

Provincial Highway ☐ Regional Road ☐ Municipal Road ☒

Right-of-Way ☐ Other: ☐

10. EXISTING USES OF THE SUBJECT PROPERTY	YEAR ESTABLISHED	PROPOSED USES (if different)
SINGLE FAMILY RESIDENTIAL		

11. EXISTING BUILDINGS/STRUCTURES:

DATE CONSTRUCTED: 1972

TYPE 1-STOREY front lot line setback 31' 47" height             
BRICK DWELLING rear lot line setback 62' 53" dimensions 47x25ft  
(TO BE DEMOLISHED) side lot line setback 6' 60 floor area 1175 ft  
side lot line setback 17.26'

DATE CONSTRUCTED:           

TYPE            front lot line setback            height             
rear lot line setback            dimensions             
side lot line setback            floor area             
side lot line setback           

12. PROPOSED BUILDINGS/STRUCTURES:

TYPE 2-STOREY BRICK DWELLING

front lot line setback 9m height 10.45m  
rear lot line setback 14.4603m dimensions 12.192m x 19.517m  
side lot line setback 1.504m floor area 3,871 SF.  
side lot line setback 1.5197m

**\*\*NOTE: A SKETCH PLAN DRAWN TO SCALE (METRIC) MUST ACCOMPANY THIS APPLICATION.**

**13. MUNICIPAL SERVICES AVAILABLE (check applicable items):**

Piped water Supply ☒ Private Well ☐

Private Septic System ☐ Sanitary Sewers ☒

Drainage: Storm Sewers ☐ Ditches ☐ Swales ☐

Other: \_\_\_\_\_

**14. OTHER APPLICATIONS - indicate if subject lands are the subject of the following planning applications:**

<input type="checkbox"/> Zoning By-law Amendment	File Number _____	Status _____
<input type="checkbox"/> Plan of Subdivision	File Number _____	Status _____
<input type="checkbox"/> Consent/Land Division	File Number _____	Status _____
<input type="checkbox"/> Previous Minor Variances	File Number _____	Status _____
<input type="checkbox"/> Site Plan Application	File Number _____	Status _____

**15. REGISTERED PROPERTY OWNER(S) APPOINTMENT AND AUTHORIZATION TO AN AGENT:**

I / We, the undersigned, being the registered property owner(s) of the subject property, hereby authorize \_\_\_\_\_ to act on  
(authorized agent's name)

my / our behalf with respect to making a minor variance application to the Town of Caledon.

  
OWNER / SIGNING OFFICER

ANNA MISTAL  
OWNER / SIGNING OFFICER

☐ I have authority to bind the Corporation.

\_\_\_\_\_  
NAME OF CORPORATION

\_\_\_\_\_  
Print – FULL NAME AND POSITION

- NOTE: i) If the owner(s) is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation or alternatively, the corporate seal is affixed over the signature.
- ii) If there is more than one owner, all owners shall complete and sign this or affix an additional appointment authorization form.
- iii) If the agent is a corporation, please specify the name of the person(s) who is appointed on its behalf.

**16. PERMISSION TO ENTER PROPERTY:**


By completing the Declaration of Owner or Authorized Agent, I / we hereby acknowledge and authorize the members of the Town of Caledon Committee of Adjustment and staff as well as any other government body or agency, to enter upon the lands subject to this application for the purpose of conducting a site inspection and agree that no discussion shall take place with the Committee members or staff during the site inspection.

 Initials \_\_\_\_\_ Initials

**17. SIGN POSTING AND PROPERTY STAKING AGREEMENT:**

I / We hereby acknowledge receipt of the Notice Sign from Town staff and agree that such Notice Sign shall be posted at least 10 days before the hearing on an application for a minor variance and clearly visible and legible from a public highway or other place to which the public has access, at every separately assessed property in the area to which the application applies or, where posting on the property is impractical, at a nearby location chosen by the Secretary-Treasurer.

I / we hereby acknowledge that failure to adequately post and maintain such sign may result in the deferral of the hearing of the application by the Committee of Adjustment and a deferral fee may be required to be paid to the Town by the Applicant at a cost established by By-law by the municipality.

 Initials \_\_\_\_\_ Initials

DECLARATION OF OWNER OR AUTHORIZED AGENT

I, ANNA MISTAL of the TOWN of CALEDON in the REGION of PEEL:

Solemnly declare that all above statements and the statements contained in all exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the CANADA EVIDENCE ACT.

Information is being collected under the authority of the *Planning Act*, R.S.O. 1990, CHAPTER P.13. In accordance with that Act, the Town of Caledon provides public access to all *Planning Act* applications, supporting information and comments submitted to the Town for review. In submitting the information to the Town, the submitter acknowledges that the information contained in this application and any supporting information including reports, studies and drawings provided by the owners, agents, consultants or solicitors, and any comments received from the public, together constitute public information and will become part of the public record. In accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, copies of the application and any of its supporting information, documents or comments may be released or made available to the general public through the Town's website or by any other means.

Note: The signature of an applicant or authorized agent must be witnessed by a Commissioner, etc. A Commissioner is available at Town Hall, if needed.

DECLARED before me at the

Town of Caledon  
in the Region of Peel  
this 19 day of February 2020.

Adam Wendland  
Signature of Commissioner, etc.  
Adam Anthony Wendland, a Commissioner, etc.,  
Province of Ontario, for the Corporation of the Town of Caledon.  
Expires April 17, 2021

[Signature]  
Signature of  
Applicant/Agent/Owner



TOWN OF CALEDON

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## Minor Variance Application Checklist

### STAFF CHECK

- ☐ Application Fee (as per Town of Caledon Fee By-law) Fees may be paid by cash, cheque, Visa, Mastercard or debit card. If the fee is being paid by cheque, the cheque must be made payable to the Treasurer, Town of Caledon.
- ☐ Application Form (all sections must be complete)
- ☐ Conservation Authority Comment fee made payable to the appropriate Conservation Authority. The Conservation Authority will advise the owner/agent if the application is considered major and will request further payment
- ☐ Appointment and Authorization Form, (if someone other than the owner of the property is submitting the application)
- ☐ Permission to Enter Form
- ☐ Posting of Advisory Sign Form
- ☐ Arrangements have been made to have the Notice Sign posted on the property.
- ☐ The applicant must submit two (1) copy of a scaled sketch plan (metric) 8 1/2" x 11" paper. Full size plans greater than 8 1/2 x 11 can be submitted. Two (2) full-sized Site Plans are required for Industrial, Commercial, Institutional, and Recreational Applications. *A Site Plan Application maybe required for Residential.* The plan shall clearly indicate the following information:
  - ☐ The boundaries and dimensions of the subject property;
  - ☐ The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear lot line, exterior side lot line and the side yard lot lines (in metric);
  - ☐ The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks;
  - ☐ The current uses of land that is adjacent to the subject land;
  - ☐ The location, width and name of any roads within or abutting the subject land, indicating whether it is an opened road allowance, a public travelled road, a private road or a right of way;
  - ☐ If access to the subject land will be by water only, the location of the parking and boat docking facilities to be used; and
  - ☐ The location of and nature of any easement affecting the subject land.
- ☐ A Key Map indicating the general location of the subject property.
- ☐ Arrangements have been made to discuss the Application with surrounding property owners.

The applicant/owner/agent wishes to proceed without a Preliminary/Pre-consult (DART) meeting.

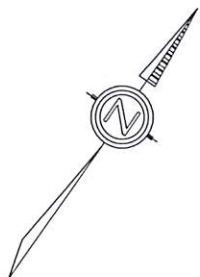
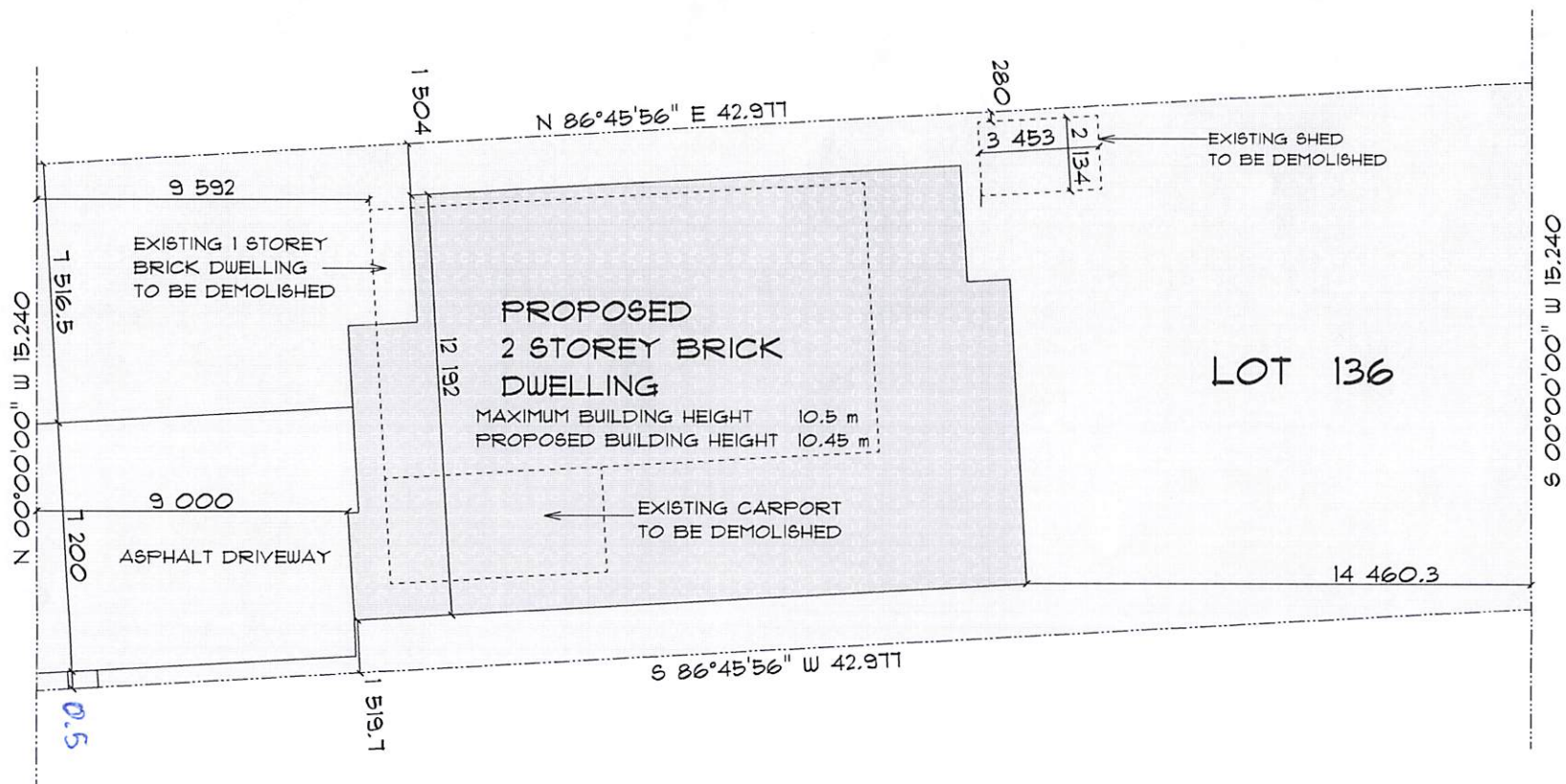
Date: \_\_\_\_\_ Signed by (Owner/agent): \_\_\_\_\_



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NEWLOVE DRIVE



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FEB 19 2020  
**PLANNING DEPARTMENT**

AREA DESCRIPTION	SQ. FT.	SQ. M.	%
LOT AREA	1 050.0	654.91	
MAX. BUILDING AREA	1 762.5	163.14	25.0
PROP. BUILDING AREA	2 124.5	197.31	30.2
FRONT YARD			
DRIVEWAY	604.75	56.18	
LANDSCAPE AREA			
HARD LANDSCAPING	20.55	1.91	
SOFT LANDSCAPING			

PROJECT: LOT 136 354 NEWLOVE DRIVE TOWN OF CALEDON REG'D PLAN 876	
DRAWING TITLE: SITE PLAN	
SCALE: 1 : 200	DATE: FEB. 10, 2020

COMMITTEE OF ADJUSTMENT  
Application for Minor Variance  
July 8, 2020

'A' 010-20, Anna Mistal, 354 Newlove Drive, Ward 5

**RECOMMENDATION**

Staff is of the opinion that the proposal meets the four tests as set out in Section 45(1) of the Planning Act, R.S.O. 1990, as amended. Staff has no objection to Minor Variance application 'A' 010-20, subject to the following condition:

1. That the Secretary-Treasurer receives written confirmation from Planning & Development staff that the applicant has demolished the accessory building (shed).

**PROPOSAL**

The applicant is requesting relief from Zoning By-law 2006-50, as amended to:

1. Permit a Building Area (maximum) of 35%; whereas the by-law permits a Building Area (maximum) of 25%; and,
2. Permit an interior side yard (minima) of 1.5m on the garage side; whereas the by-law permits an interior side yard (minima) of 3.0m on the garage side.

**ANALYSIS**

**Town of Caledon Official Plan**

The subject property is designated Low Density Residential on Schedule 'C' in the Town of Caledon's Official Plan. Uses permitted in this designation include, among others, a detached dwelling.

Staff is satisfied that the proposal is in keeping with the general intent and purpose of the Town's Official Plan.

**Zoning By-law 2006-50, as amended**

The subject property is zoned Residential One (R1) by Zoning By-law 2006-50, as amended. Uses permitted in the R1 zone include, among others, a detached dwelling.

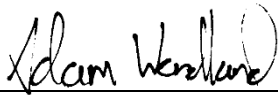
The applicant is proposing to demolish the existing dwelling and accessory building (shed) and construct a new detached dwelling. To facilitate the above, the applicant is

seeking relief to permit an increased Building Area from 25% to 35%, and to reduce the interior side yard setback (on the garage side) from 3.0 metres to 1.5 metres.

The requested variances are in general keeping with existing development on neighbouring properties. Staff is satisfied that the application is in keeping with the general intent and purpose of the Town's Zoning By-law.

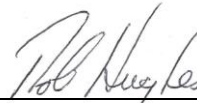
The applicant is advised that the building area (maximum) as requested is based on the information provided on the revised site plan including demolition of the accessory building (shed). Should the applicant propose to construct any additional buildings or structures on the property, additional variances may be required.

Respectfully submitted by,



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Adam Wendland  
Intermediate Planner



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Rob Hughes  
Manager of Planning Services





## **COMMITTEE OF ADJUSTMENT**

### **DRAFT CONDITION(S)**

**File Number: A 010-20**

1. That the Secretary-Treasurer receives written confirmation from Planning & Development staff that the applicant has demolished the accessory building (shed).



Date of Hearing: July 8, 2020

File Number: A 010-20

Department	Staff	Comments	Condition(s) If applicable
<b>Community Services</b>			
Planning and Development	Zoning Administrator	<p>The subject property is zoned One Family Residential (R1) by the Town of Caledon Zoning By-law 2006-50, as amended.</p> <p>The applicant is proposing to construct a new dwelling and demolish the existing dwelling and accessory building.</p> <p>The applicant is seeking a minor variance to permit the increase in Building Area (maximum) 35% and permit an interior side yard setback of 1.5m of the driveway side.</p> <p>Based on information noted above the Building Area (maximum) should be confirmed as 36.3%.</p> <p>Staff note an Elevation Drawing has not been provided to confirm Building Height (maximum). The site plan indicates it is proposed to be 10.45m. Staff note this would be considered to be 10.5m.</p> <p>As no Elevation Drawing has been provided staff advise a further variance maybe</p>	<p>That the Secretary-Treasurer receive written confirmation that the accessory building has received written confirmation from Building that a demolition permit has been received and issued or that a demolition permit is not required and written confirmation from Development that the accessory building has been demolished.</p>

		<p>required at Building Permit as it is measured to mid peak.</p> <p>Staff note that existing accessory building is to be demolished. If the accessory building is not demolished it will not comply with zoning. If the Committee was to approve this Minor Variance staff suggest that the following condition be included:</p> <p>That the Secretary-Treasurer receive written confirmation that the accessory building has received written confirmation from Building that a demolition permit has been received and issued or that a demolition permit is not required and written confirmation from Development that the accessory building has been demolished.</p>	
	Landscape Architect	No Concerns	
	Technologist Development Engineer	No Concerns	
	Heritage Resource Officer	No Concerns	
	Policy & Sustainability	No comments received	
Municipal Numbers	Development Coordinator/Senior Planner	No concerns. The municipal number will not be impacted.	
Fire & Emergency Services	Chief Fire Prevention Officer	No Concerns	
Building & Support Services	Plans Examiner	Building permit applications are required for the demolition and proposed construction (separate applications	

		for each project). OBC compliance will be verified through the building permit application process.	
<b>Finance &amp; Infrastructure Services</b>			
Transportation	Traffic Technologist	No Concerns	
Finance	Senior Financial Analyst	<p>A 010-20 Roll # 080.003.18200.0000 354 NEWLOVE DRIVE MISTAL ANNA</p> <p>As at March 18, 2020, property taxes for 354 NEWLOVE DRIVE are determined to be current. There are no outstanding financial obligations that would otherwise affect the attached application # A 010-20. These comments apply solely to # A 010-20 and are based on information available as at March 18, 2020.</p>	
<b>Corporate Services</b>			
Regulatory Services/By-law	By-law and Licensing Supervisor	No Concerns	

#### External Agency Comments

Agency	Comments
Region of Peel	See attached letter
Hydro One	Not applicable
Toronto Region Conservation Authority	Not applicable



Credit Valley Conservation	Not applicable
Ministry of Transportation	Not applicable
Canadian Pacific Railway	Not applicable
Propane Operator	Not applicable
Niagara Escarpment Commission	Not applicable