

**Ontario Municipal Board**  
Commission des affaires municipales  
de l'Ontario



**ISSUE DATE:** October 20, 2016

**CASE NO(S):** PL160204

**PROCEEDING COMMENCED UNDER** subsection 45(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Patricia Perruzza  
Subject: Minor Variance  
Variance from By-law No.: 0225-2007  
Property Address/Description: 942 Third Street  
Municipality: City of Mississauga  
Municipal File No.: A46/16  
OMB Case No.: PL160204  
OMB File No.: PL160204  
OMB Case Name: Perruzza v. Mississauga (City)

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Subject: Minor Variance  
Variance from By-law No.: 0225-2007  
Property Address/Description: 940 Third Street  
Municipality: City of Mississauga  
Municipal File No.: A47/16  
OMB Case No.: PL160204  
OMB File No.: PL160205

**Board Rule 107 states:**

**107. Effective Date of Board Decision** A Board decision is effective on the date that the decision or order is issued in hard copy, unless it states otherwise.

Pursuant to Board Rule 107, this decision takes effect on the date that it is e-mailed by Board administrative staff to the clerk of the municipality where the property is located.

**APPEARANCES:****Parties**

Patricia Perruzza  
City of Mississauga

**Counsel**

Russell Cheeseman  
Raj Kehar  
Husein Panju

**AMENDING DECISION DELIVERED BY ANNE MILCHBERG AND ORDER OF THE BOARD**

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[1] In accordance with Rule 108 of the *Board's Rules of Practice and Procedure*, whereby the Board may at any time and without prior notice to the parties correct a technical or typographical error made in a decision or order, the Decision and Order issued on July 18, 2016, is hereby amended as follows:

- By deleting paragraph [7] in the original decision and replacing it with paragraph [7] below:

**VARIANCES SOUGHT**

[7] The Applicant seeks the following variances from the City's General Zoning By-law No. 0225-2007, as amended (the "ZBL"), to legalize current zoning infractions on both of the Subject Properties. The Subject Properties are designated R3 under the ZBL. The proposed residential uses are permitted.

For the property at 940 Third Street:

1. A westerly side yard setback of 1.20 metres ("m") measured to the first storey and second storey of the westerly wall is requested, whereas the ZBL requires a setback of 1.80 m at the first floor, and a further setback at the second storey ("**Variance 1**")

2. An easterly side yard setback of 0.6 m measured to the first storey and second storey of the dwelling is requested, whereas the ZBL requires a setback of 1.20 m to the first storey and 1.80 m to the second storey. (**“Variance 2”**)

For the property at 942 Third Street:

3. A westerly side yard setback of 0.6 m measured to the first storey and second storey of the dwelling is requested, whereas the ZBL requires a setback of 1.20 m to the first storey and 1.80 m to the second storey (**“Variance 3”**)
4. An easterly side yard setback of 1.20 m measured to the first storey and second storey of the easterly wall is requested, whereas the ZBL requires a setback of 1.80 m at the first floor, and a further setback above. (**“Variance 4”**)

[2] In all other respects the Board’s Decision and Order remains the same.

*“Anne Milchberg”*

ANNE MILCHBERG  
MEMBER

If there is an attachment referred to in this document,  
please visit [www.elfto.gov.on.ca](http://www.elfto.gov.on.ca) to view the attachment in PDF format.

**Ontario Municipal Board**

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