

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: June 22, 2018

CASE NO(S): PL170571

The Ontario Municipal Board (the “OMB”) is continued under the name Local Planning Appeal Tribunal (the “Tribunal”), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

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

Applicant and Appellant:	Siamak Kiani
Subject:	Minor Variance
Variance from By-law No.:	0225-2007
Property Address/Description:	636 Shenandoah Drive, Lot 44, Registered Plan 599
Municipality:	City of Mississauga
Municipal File No.:	A 089/17
OMB Case No.:	PL170571
OMB File No.:	PL170571
OMB Case Name:	Siamak v. Mississauga (City)

Heard: September 20, 2017, and October 3, 2017 in
Mississauga, Ontario

APPEARANCES:

Party

Counsel

Siamak Kiani

A. Stewart

David Dunnet

S. D'Agostino

DECISION DELIVERED BY H. JACKSON AND ORDER OF THE TRIBUNAL

[1] Siamak Kiani (the “Applicant”) applied for minor variances in order to construct a new two storey detached dwelling for his property at 636 Shenandoah Drive. The existing home is to be demolished. The City of Mississauga (the “City”) Committee of Adjustment (the “COA”) denied the application on April 27, 2017. The Applicant appealed the COA decision.

[2] At the hearing in this matter, David Dunnet, represented by Stephen D’Agostino, requested party status. He is the adjacent neighbour to the southwest at 648 Shenandoah Drive. The Applicant did not object and party status was granted. Mr. Dunnet is opposed to the proposed redevelopment primarily on the basis that the design of the new home does not take into account the lot on which it is situated. Specifically, he opposes the requested relief from the by-law provisions for combined side yard setback because, in his view, this places the burden of the reduced side yard setback on his lot. Mr. Dunnet’s position is that the character of the neighbourhood is typified by adherence to the large side yard setbacks and the official plan has policies to preserve these expansive side yards that should not be ignored.

[3] Two other neighbours were granted participant status. Charles Brooks lives with his wife immediately to the east of the proposed new dwelling and Rhona Shekter lives across the street. Mr. Brooks testified that he has been in his home for 57 years, and has seen numerous redevelopments in the area. In his view, the proposed house is too large for this particular lot as the lot is one of the smallest in the vicinity. Ms. Shekter agrees and further asserts that it is important that the house to lot ratio be appropriate. She described the unique nature of this area due to abundant foliage, a sense of space and a lack of encroachment of the homes on each other.

[4] The City did not attend this hearing.

REQUESTED VARIANCES

[5] The application requests relief from Zoning By-law No. 0225-2007, as amended (the “by-law”). The application is also subject to the site plan approval process. Amber Stewart, representing the Applicant, indicated that the application was presented to the COA at a meeting on March 9, 2017; however, it was deferred to address the COA’s concerns regarding gross floor area (“GFA”) of the proposed new home.

[6] Subsequently, the proposed home was redesigned to reduce the length, height and GFA, amongst other modifications. The length was reduced from 17.21 metres (“m”) to 16.90 m; the GFA was reduced from 413.93 square metres (“m²”) to 405.39 m²; and the height of the dwelling was reduced from 9.35 m to 9.09 m.

[7] The modified proposal was presented at the April 27, 2017 COA meeting. The proposal was supported by City planning staff however the COA refused the requested variances.

[8] The following are the requested variances presented at the April 27, 2017 meeting:

1. a gross floor area - infill residential of 405.40 m² (4,363.69 sq.ft.) whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 384.64 m² (4,140.23 sq.ft.) in this instance;
2. an easterly side yard of 1.80 m (5.91 ft.) measured to the second storey; whereas By law 0225-2007, as amended, requires a minimum side yard of 2.41 m (7.91 ft.) in this instance;
3. a combined width of the side yards of 3.88 m. (12.73 ft.); whereas By-law 0225-2007, as amended, requires a minimum combined width of the side yards of 6.67 m (21.88 ft.) in this instance, and;
4. a porch encroachment inclusive of stairs of 2.13 m (6.99 ft.) into the front yard; whereas By-law 0225-2007, as amended, permits a maximum porch encroachment inclusive of stairs of 1.60 m (5.25 ft.) into the front yard in this instance.

ISSUE

[9] Section 45(1) of the *Planning Act* (the “Act”) allows the Board, now the Tribunal, to authorize variances to a zoning by-law where the variance is minor; is desirable for the appropriate development or use of the land, building or structure; maintains the general intent and purpose of the official plan; and maintains the general intent and purpose of the zoning by-law. The Tribunal must be satisfied that all four tests are met in order to authorize the requested variances.

EVIDENCE

Witnesses

[10] The Applicant called T. J. Cieciora to provide land use planning opinion evidence in support of the requested variances. The Applicant also called the designer of the new home, Noushin Mozafari, to provide evidence. Mr. Dunnet called a professional architect, Andy Thomson, to provide opinion evidence to support his concerns.

[11] Prior to providing evidence, challenges to the qualifications of both Ms. Mozafari and Mr. Thomson were heard.

[12] Mr. D’Agostino questioned Ms. Mozafari’s qualifications as an ‘architect’. Ms. Mozafari has worked on the design of numerous homes and was the lead designer on this project. During the course of the hearing, Ms. Mozafari was referred to as an ‘architect’; however, Ms. Mozafari received her training in Iran and is not a licensed architect in Ontario. Following submissions of the parties, the Board qualified Ms. Mozafari as an Architectural Designer, able to provide evidence with respect to architectural design. Ms. Mozafari ultimately only testified regarding a shadow study that she conducted.

[13] Mr. D’Agostino sought to have Mr. Thomson, who is a licensed architect in Ontario, qualified as an expert in architecture, and also as able to provide expert

evidence in the application of official plans and zoning by-laws. This was opposed by Ms. Stewart on the premise that in order to provide land use planning expert evidence, one must either be a professional planner, or recognized as such as a result of significant experience in the field. The Board heard extensive submissions on the question, and case law to support the two positions.

[14] Upon deliberation, the Board concluded that though Mr. Thomson had some experience in the development of official plan policies and zoning by-laws, the bulk of Mr. Thomson's experience as a professional is in the field of architecture. The Board concluded that the extent of Mr. Thomson's experience as it relates to the interpretation of official plan policies and the intent of zoning by-laws does not rise to the level of experience that would render his evidence to that of an 'expert' in the field of land use planning. That is not to say that he is not familiar with the interpretation of an official plan or zoning by-law as it relates to how an architect may incorporate design to meet official plan policy and the requirements of a zoning by-law.

[15] The Board qualified Mr. Thomson as an expert in architecture and allowed him to provide evidence of how he interprets an official plan policy or zoning by-law with respect to his work as an architect.

[16] Following a short break in the proceeding, Mr. D'Agostino requested a review of this ruling, on the basis that he had found further information that warranted reconsideration of the ruling. Mr. D'Agostino was permitted to provide this information which essentially was a review of the scope of practice under the Ontario Association of Architects governing body that states that the practice includes the provision of professional services including land use planning, urban design, etc. The Board heard these further submissions and reiterated its previous ruling on the question.

Proposed Redevelopment and Requested Variances

[17] The subject site is located in the Clarkson-Lorne Park Neighbourhood Character Area, near the intersection of Mississauga Road and The Queen Elizabeth Way. The

site is a large lot in the shape of an irregular parallelogram due to the curve of the roads. The lot is 23.7 m wide at the front, 17.96 m wide at the rear, 42.86 m deep on the east side, and 48.64 m deep on the west side.

[18] Though the east and west lot lines are at an angle to the street, the existing home is situated so that the front of the home is parallel to the street, and parallel to the existing home of Mr. Brooks immediately to the east. The street curves slightly to the west, so that the front of Mr. Dunnet's home is parallel to the street and perpendicular to the lot line between Mr. Dunnet's lot and the subject lot. This places the east side of Mr. Dunnet's home at a slight angle to the garage of the existing house on the Applicant's property, because the sidewall of the garage is perpendicular to the street but at an angle to the lot line.

[19] The existing one storey home and attached garage is to be replaced with a two storey home with an integral garage. As shown in the site plan (drawing A101 in Exhibit 2), the proposed new dwelling is situated on the subject lot in a similar manner as the existing dwelling. The general configuration and alignments described above will not change with the proposed new construction; however, the new home is larger and taller than the existing home. The front of the proposed new home is to be setback 9 m from the street and will continue to frame the street, as requested by the City planners. Because the side lot lines extend at an irregular angle to the street front, whereas the front of the home is aligned parallel to the street, the corners of the house project into the side yard setback. The side yard setback is measured to the closest corners of the new home. The projections into the setback that require relief from the zoning by-law occur at the easterly front corner of the house, the rear corner of the garage, and the rear corner of the house. These projections into the side yard setback have been described as 'pinch points'.

[20] The first variance requested is for relief from the provisions of the by-law for GFA. The request is for 405.40 m² of GFA whereas 384.64 m² is permitted, which is 20.76 m² in excess of the permitted amount.

[21] The second variance asks for relief from the by-law provision for side yard setback to the second storey on the easterly side. The required minimum setback to the first storey is 1.80 m (5.91 feet ("ft.")), and for every storey above, the requirement is for an additional 0.61 m. Therefore, the required minimum side yard setback to the second storey is 2.41 m (7.91 ft.). In this case, the proposed setback at the front corner of the house is 1.8 m for both the first and second storeys.

[22] The third variance requests relief for the by-law provision related to the combined width of the side yards. The by-law directs that 27% of the lot frontage is required for a combined side yard setback, which in this instance is a minimum combined width of 6.68 m (21.88 ft.). The rear corner of the garage that protrudes into the required setback is proposed to be 2.10 m from the westerly property line. This, combined with the easterly front corner of the home that is proposed to be at 1.80 m, results in a proposed combined width of the side yards of about 3.88 m (12.73 ft.). It is this variance that is of greatest concern to Mr. Dunnet.

[23] The fourth variance is for a porch encroachment into the front yard. The porch stairs encroach into the front yard a small amount, equivalent to two risers. There was no concern expressed regarding the requested relief for this encroachment by Mr. Dunnet or City planning staff, as described further below in paragraph [24]. The Tribunal has no concerns regarding this variance.

[24] The Planning and Building Department had no objection to the modified application as it was presented to the COA meeting of April 27, 2017. This summary is extracted from the Planning Department comments as presented at that COA meeting:

Variance #1 is for additional gross floor area. The revised application reduces the requested GFA from the previous application. The revised application also reduces the height of the rear family room, removes a rear dormer, and removes the rear balcony. The revised design of the elevations breaks the facade and massing into a series of smaller volumes. The rear massing has significantly been revised due to the reduced height of the family room. The removal of a rear dormer and rear balcony helps mitigate overlook and privacy concerns. The overall increase in gross floor area is a modest request compared to the scale and size of the lot. In our opinion, variance #1 is considered minor, and maintains the general intent of the Zoning By-law.

Variations #2 and #3 are for side yards. The irregular shape of the lot creates challenges when siting a dwelling. The proposed dwelling is perpendicular to the street, and not parallel to the side lot lines. The proposed dwelling is parallel and has a similar footprint to the existing dwelling, and the dwelling directly to the east. The requested side yard variations are only for pinch points due to the irregular shape. Visual separation between the dwellings will be maintained. The reduced side yards will be consistent with the streetscape. In our opinion, the variations are considered minor, and maintain the general intent of the Zoning By-law.

Variance #4 is for an increased porch encroachment. The majority of the dwelling is setback 9 m from street. The porch is only for a small area, located in the centre of the facade. A mature tree is located directly in front of the porch, which mitigates impact to the streetscape. A porch helps transition the dwelling to the street. In our opinion, the variance is considered minor, and maintains the general intent of the Zoning By-law.

Planning Context

[25] The lands are designated Residential Low Density 1 in the City's official plan. Mr. Cieciora stated that redevelopment and intensification in Mississauga is expected to occur in established neighbourhoods, according to Policy 5.1.7 which sets out that "Mississauga will protect and conserve the character of stable residential Neighbourhoods."

[26] The Neighbourhoods s. 5.3.5 of the official plan states in part:

Neighbourhoods are characterized as physically stable areas with a character that is to be protected. Therefore, Mississauga's Neighbourhoods are not appropriate areas for significant intensification. This does not mean that they will remain static or that new development must imitate previous development patterns, but rather that when development does occur it should be sensitive to the Neighbourhood's existing and planned character.

.....

5.3.5.5 Intensification within Neighbourhoods may be considered where the proposed development is compatible in built form and scale to surrounding development, enhances the existing or planned development and is consistent with the policies of this Plan.

5.3.5.6 Development will be sensitive to the existing and planned context and will include appropriate transitions in use, built form, density and scale.

[27] Mr. Cieciora's opinion is that the proposal is in line with policies 5.3.5.5 and 5.3.5.6, noted above.

[28] With respect to Urban Form, the official plan states “...[r]edevelopment must also be sensitive to the existing urban context and minimize undue impacts on adjacent properties.” Context sets out how developments demonstrate compatibility and integration with surrounding land uses and vegetation by ensuring that an effective transition in built form is provided. Section 9.5.1.2 states:

9.5.1.2 Developments should be compatible and provide appropriate transition to existing and planned development by having regard for the following elements:

...

- g. the size and distribution of building mass and height;
- h. front, side and rear yards;
- i. the orientation of buildings, structures and landscapes on a property;
- j. views, sunlight and wind conditions;
- k. the local vernacular and architectural character as represented by the rhythm, textures and building materials;
- l. privacy and overlook; and
- m. the function and use of buildings, structures and landscapes.

[29] Mr. Cieciora’s view is that the proposal does not offend these criteria, particularly due to the robust nature of the planning review undertaken by City staff through the site plan process.

[30] The Clarkson-Lorne Park Neighbourhood (Section 16.5 of the official plan) has specific policies to guide development. The following applies to Infill Housing:

16.5.1.4 For development of all detached dwellings on lands identified in the Site Plan Control By-law, the following will apply [emphasis added]:

- a. preserve and enhance the generous front, rear and side yard setbacks [emphasis added];
- b. ensure that existing grades and drainage conditions are preserved;
- c. encourage new housing to fit the scale and character of the surrounding area, and take advantage of the features of a particular site, i.e. topography, contours, mature vegetation;
- d. garages should be recessed or located behind the main face of the house. Alternatively, garages should be located in the rear of the property;

- e. ensure that new development has minimal impact on its adjacent neighbours with respect to overshadowing and overlook;
- f. encourage buildings to be one to two storeys in height. The design of the building should de-emphasize the height of the house and be designed as a composition of small architectural elements, i.e. projecting dormers and bay windows;
- g. reduce the hard surface areas in the front yard;
- h. preserve existing mature high quality trees to maintain the existing mature nature of these areas;
- i. house designs which fit with the scale and character of the local area, and take advantage of the particular site are encouraged. The use of standard, repeat designs is strongly discouraged; and
- j. the building mass, side yards and rear yards should respect and relate to those of adjacent lots [emphasis added].

[31] With respect to the policies above, Mr. Cieciora testified that the bulk of the dwelling meets the minimum side yard setbacks, and the home is compliant with the front yard setback and has a generous rear yard setback. The only portions of the building that do not comply with the provisions for setback are the corners of the building that intrude into the required side yard setback which is a reflection of the geometry of the lot. The garage is slightly setback from the face of the main wall, and the only hard surface is the driveway, which is to be maintained as it is in the existing configuration. There is no issue with privacy or overlook. Mr. Cieciora states that the home 'fits' the scale and character of the particular lot, whose geometry is a particular feature that must be accommodated.

[32] Mr. Cieciora states that the proposed new home is designed to be oriented with other homes in the neighbourhood in a manner sensitive to the lot configuration and consistent with the official plan policies. The new home is subject to a robust planning review through the site plan process which helps to ensure the development is sensitive to its surroundings. His opinion is that the general intent and purpose of the official plan is maintained by this proposal.

[33] Mr. Cieciora is also of the view that the general intent and purpose of the zoning by-law is maintained by this proposal. He states that the intent of the by-law

provision for GFA is to limit the scale and massing of the dwelling on the lot. He states that the request for excess GFA of about 20 m² is negligible in a two storey home.

[34] With respect to the zoning by-law provision for side yard setback, Mr. Cieciora noted that the entirety of the structure complies with the 1.8 m minimum side yard setback for the first storey. He indicated that it is only a small corner at the eastern front of the second storey of the house that does not comply with the setback requirement for 2.41 m at the second storey.

[35] With regard to the provision that requires the combined side yard setback to be 27% of the frontage; Mr. Cieciora explained that this provides the designer with opportunities for siting the dwelling as it can be shifted from side to side, depending on the conditions on either side of the dwelling. In this situation, the front easterly corner of the house is at the closest point to the side lot line at 1.8 m setback, however, the setback increases to 5.88 m at the rear of the home, because the lot line is at an angle to the house. Conversely, at the front of the home on the westerly side, the setback from the front corner of the garage to the lot line is 4.45 m. However; at the rear of the garage the setback decreases to 2.10 m, because of the angled lot line. At this location, the main wall of the house is set back an additional 3.67 m from the sidewall of the garage. Therefore, even though the 'pinch points' do not comply, much of the sidewalls of the new home have ample setback to the side lot lines. Mr. Cieciora determined that the infringement into the side yard was minor and not consequential, and that from the front of the house, the irregular lot lines would not be discerned. He stated the siting of the new home is consistent with Mr. Brooks' home to the east at 628 Shenandoah Drive and consistent with the streetscape.

[36] Mr. Cieciora compared the requested side yard setbacks for the new home with the setbacks that currently occur for the existing dwelling. The existing dwelling is setback 1.86 m from the east lot line, whereas the request for the new home is for a setback of 1.80 m at about the same location. On the west side, the existing setback is 2.67 m, whereas, the request is for 2.10 m setback for the new home.

[37] With respect to the potential impact due to shadow and overlook, the Board heard from Ms. Mozafari who described the shadow study that she undertook. She looked at shadows on March 21, and September 21, the dates that she explained are routinely used in shadow studies. She stated that because Mr. Dunnet's property is to the south, the proposed development barely imposes a shadow on his property. Similarly, the Board heard that there are two second storey windows proposed for the new home that are located in an area that is open to the family room below and therefore there is no possibility of overlook from these windows onto Mr. Dunnet's yard.

[38] Mr. Cieciora concluded that the variances requested are minor given that the requested additional GFA is negligible over what is permitted; the requested variances for side yard setback achieve an appropriate design taking into consideration the lot configuration and the desire of the owner; and, there is no noticeable impact as a result of shadow or overlook.

[39] Mr. Cieciora testified that the proposed new home is a desirable and appropriate development of the lands, and that the new home fits within the context where replacement homes are larger than the existing stock.

[40] Mr. Cieciora indicated that it would be appropriate to add a condition that the home be built substantially in accordance with the drawings in Exhibit 2 to ensure that there are no significant changes to what has been proposed.

[41] Mr. Thomson took a different view regarding the design of the proposed new home and its compatibility with the Clarkson-Lorne Park Neighbourhood Character Area. The Board heard Mr. Thomson's evidence within the context of his qualifications as stated earlier. He described this neighbourhood as characterized by wide and spacious lots, with wide side yards, generous front yards, and no sidewalks. He described the homes as modest in scale and consisting of split levels, back splits, and ranch style homes. He stated that there are some larger homes, but these are

generally on much larger lots than the subject lot. Mr. Thomson provided photographs of homes in the neighbourhood to support his description.

[42] Mr. Thomson took the Board to the words in the official plan s. 16.5.1.1 below and 16.5.1.4 as provided previously in paragraph [30]:

16.5.1.1 Developments should be compatible with and enhance the character of Clarkson-Lorne Park as a diverse established community by integrating with the surrounding area [emphasis added].

[43] Mr. Thomson interprets that the use of the word 'enhance' in s. 16.5.1.1; in combination with the use of 'will apply' for the criteria in 16.5.1.4; and the words 'protect and enhance' in s. 16.5.1.4 a) all together provide clear direction from the official plan that new development should respect the existing side yard setbacks and that the proposed house should not encroach into the required side yard.

[44] In terms of official plan s. 6.5.1.4 c) encourage new housing to meet 'scale'; it is his view that the scale of the homes in the neighbourhood is not met by the proposed new home.

[45] In terms of 6.5.1.4 f) he stated that because the subject lot is narrower than most lots in the area, a side split type form of dwelling would fit the lot better and relate to the adjacent homes in a more suitable fashion. Though there is no request for a height variance, Mr. Thomson states that the design of the roof does not de-emphasize the height of the dwelling. In this case he states that the height of the roof reflects the mass of the home, and that the mass of this home is not integrated into the neighbourhood in an appropriate manner. Further, the two storey house will be an imposing structure and result in a visual impact to Mr. Dunnet from his backyard.

[46] Mr. Thomson contends that the proposal also does not align with 6.5.1.4 h), preservation of landscape; or, 6.5.1.4 i) take advantage of site; or 6.5.1.4 j) respect and relate to side yards.

[47] Mr. Thomson's view is that the new home is out of character with the neighbourhood and therefore does not meet the intent of the official plan. He also is of the view that the requested variances do not meet the intent of the zoning by-law because the scale of the proposed home is beyond what the zoning by-law intends.

[48] He states that it is possible to design a home that meets the zoning by-law provisions without the need for variances. Mr. Thomson prepared a drawing to show the configuration of the subject lot with the adjacent dwellings, the existing dwelling, and an outline of the footprint of the proposed dwelling. On this diagram he has also outlined the 'area of conformity' and the area of the proposed dwelling that is out of conformity. He provided this to show the envelope within which a building could be built that would be in compliance with the by-law.

[49] Further, he states that because side yards have such great importance in this location as reflected by the emphasis on side yards in the official plan and zoning by-law, a requested variance of almost one half of the cumulative amount required cannot meet the intent of the zoning by-law or the official plan, because this amount is not minor.

[50] With respect to the question of whether the proposed home is desirable for the appropriate development of the lands Mr. Thomson testified that if it were appropriate, then the adjacent neighbour would not be objecting.

[51] Mr. D'Agostino argues that the intent of the official plan cannot be met with the significant numerical reduction in side yard setback that is requested and that the burden of the side yard setback is placed on the neighbour because of the design of the home on the lot. He argues that the proposed new home does not fit the lot precisely because of the corners that protrude into the required aggregate side yard setback. Mr. D'Agostino argues that because there are two distinct policies that deal with side yard setbacks (16.5.1.4 a and j) it is clear that the intention of the official plan is to preserve

the special character of this neighbourhood which is characterized by expansive side yards.

ANALYSIS AND FINDINGS

[52] In this matter, the Tribunal had land use planning opinion evidence by Mr. Cieciora, as well as evidence in relation to a shadow study, in support of the variances, and opinion evidence from a licenced architect opposing the requested variances. In coming to the Tribunal's findings in this matter, the Tribunal recognizes that though expert opinion evidence is helpful, the Tribunal is obliged to come to its own opinions. Mr. D'Agostino brought the Board to a decision by Swinton, Low, and Karakatsanis, of the Superior Court, May 25, 2009, *Romlek Enterprises, Re 2009 CarswellOnt 3108* ("*Romlek*") for this proposition. At paragraph 34 of *Romlek* Justice Swinton states:

The proper interpretation of the Official Plan and the Secondary Plan is not a factual matter to be decided based on opinion evidence from planners, but rather a question of law (*Toronto (City) v. 2059946 Ontario Ltd.*, [2007] O.J. No. 3021 (Div. Ct.) at para. 4.). The Board member was required to interpret these documents himself.

[53] In the current matter the Tribunal has carefully considered the evidence provided by the witnesses and reviewed the exhibits to assess the planning merits of this proposal and to determine whether the four tests of the *Planning Act* are met. The Tribunal has also considered the authorities provided by Mr. D'Agostino and Ms. Stewart in coming to this decision.

[54] The Tribunal finds that the request for relief from the zoning by-law provisions is appropriate in this circumstance. This allows for the design of a home that is parallel to the street front and fits appropriately into its context. The Tribunal finds the protrusion of the corners of the home into the required side yard setbacks does not offend the general intent and purpose of either the official plan or the zoning by-law. The Tribunal finds this is, in fact, a circumstance where it is appropriate to allow relief from the by-law provisions due to the irregular configuration of the lot.

[55] The Tribunal finds the official plan policy to 'preserve and enhance' side yards is maintained by this proposal. The evidence shows that the proposal will result in generous side yards similar to what currently exists. The relief requested relates specifically to the corners that project into the side yards whereas the bulk of the new home will be set further back from the side lot lines. For the 2.4 m setback on the second floor of the home, there is only a small corner of the building that does not comply and the Tribunal finds the impact of this small protrusion to be negligible.

[56] The Tribunal notes that the proposed new construction, though no question larger than the existing dwelling, reflects the same orientation as the existing home. In fact, the existing home currently does not comply with the requirement for combined side yard setback. The existing easterly side yard setback is 1.86 m and the westerly side yard setback is 2.67 m for a total of 4.53 m combined side yard setback whereas the requested relief is only 0.65 m greater (about 2 feet) at 3.88 m.

[57] The Tribunal agrees with Mr. Cieciora that these are generous lots and houses and actual lot geometry is difficult to see in reality, and that the perception from the front of the home will be that the home complies with the by-law.

[58] Official plan policies recognize that growth takes place by replacement dwellings, and as is common, the existing housing stock in this area as typified by bungalows is being replaced by larger homes. The Tribunal finds that this proposed new home will be compatible with existing and new replacement houses in the neighbourhood, such as 560 Shenandoah Drive, which was granted variance relief for GFA, dwelling depth and height.

[59] The Tribunal finds that the proposed new home provides a pleasant front façade, and is appropriate for the lot with the step backs on the sides. It is a pleasing design in a stable neighbourhood that has had some change but in a format similar to what exists. The Tribunal finds this type of development is desirable for this site.

[60] The Tribunal finds that the proposal in its entirety achieves the intent of the official plan and zoning by-law and notes that the performance standards of height, length, main wall height, coverage, front yard setback and landscaping are all met. Further, there is no undue adverse impact to privacy, overlook or shadow to Mr. Dunnet's property as the only element that faces his lot is a one storey garage, and there is no overlook from the windows on the second storey of the new home.

[61] The Tribunal notes that homes in this neighbourhood are subject to the site plan approval process and that planning staff have extensively reviewed this proposal and had no concerns with the application.

[62] In coming to this decision, the Tribunal considered the argument put forward by Mr. D'Agostino that the test for minor is not just size it is also "importance"; and, the evaluation of need and hardship should also be considered when assessing the four tests. Mr. D'Agostino referred to the decision by Matlow, Jarvis, and Molloy of the Superior Court, *DeGasperis v. Toronto (City) Committee of Adjustment 2005 CarswellOnt 2913 ("DeGasperis")*. This is set out in paragraphs 12 and 23 of *DeGasperis* as follows:

[12] A minor variance is, according to the definition of "minor" given in the Concise Oxford Dictionary, one that is "lesser or comparatively small in size or importance". This definition is similar to what is given in many other authoritative dictionaries and is also how the word, in my experience, is used in common parlance. It follows that a variance can be more than a minor variance for two reasons, namely, that it is too large to be considered minor or that it is too important to be considered minor. The likely impact of a variance is often considered to be the only factor which determines whether or not it qualifies as minor but, in my view, such an approach incorrectly overlooks the first factor, size. Impact is an important factor but it is not the only factor.

[23] In exercising its discretion, a committee is entitled to take into account anything that reasonably bears on whether or not an application should be granted and, in my view, need and hardship are factors that, in appropriate cases, can properly be taken into account.

[63] Mr. D'Agostino argues that even if the four tests are satisfied, if it is not right, then it should not be done.

[64] Ms. Stewart does not agree. She contends that case law has since stated that no hardship need be considered. She referred to *Fiorino v. Toronto (City) Committee of Adjustment*, 2007 CarswellOnt 5347; 57 O.M.B.R. 55 of August 16, 2007, at paragraph 33 as follows:

Without suggesting that hardship or need constitute a fifth test for a minor variance, the Board finds that factors of hardship and need are relevant to the determination of whether a variance passes the test of desirability, and that it is appropriate to take into account the hardship inherent in the legal situation affecting the two lots for which the variances are sought.

[65] In this instance, the Tribunal is satisfied that the evidence clearly provides that this is a circumstance where the requested variances are 'minor' both with respect to the quantum requested as well as the 'importance' of the variance. The Tribunal is not persuaded that the requested variance relief for the cumulative side yard setback will offend official plan policies that are designed to 'preserve and enhance' the existing expansive side yards in this neighbourhood. Rather, the Tribunal is satisfied that this policy of the official plan is maintained by the proposed new home, as it will be a new home in much the same configuration as the existing home, albeit larger. The expansive side yards will be maintained as it is only the 'pinch points' that reflect small corners of the home that encroach into the required side yard setback.

[66] Similarly, the Tribunal is not persuaded by the submissions of Mr. D'Agostino that this request for variance relief is 'not right' or should not be approved because there is no hardship alleged on the part of the Applicant. The Tribunal finds this proposed new home to be an entirely appropriate replacement home, for the reasons articulated.

[67] Ms. Stewart also referred to *Toronto Standard Condominium Corp. No. 1517 v. Toronto (City)*, 2006 CarswellOnt 3996, June 21, 2006, where Vice Chair Lee (as he then was) stated at paragraph 7:

It is necessary to re-iterate the long-standing affirmation recognized by the Board for at least three decades that the legislature has in s. 45(1) of the Planning Act created a statutory process whereby a relief is made available to avoid the strait-jacket or rigid applications of the zoning by-law. The relief in question has been designed so that an independent tribunal, whether it is a Committee of Adjustment or the board, can review and

determine whether it can be granted on an individual case using the statutory tests set out. This relief stems from the Legislature's recognition that a zoning by-law, if it is to be applied unfailingly with scant regard for individual circumstances and without due regard to the matters at hand, can result in very odd, undesirable and in some cases wrong situations because the facts in the planning world can be sometimes stranger than fiction. The relief is not to be regarded as an extraordinary remedy. In fact, the relief should be granted in some circumstances, not because non-conformity would be less costly, expedient or convenient, but because nonconformity can, in fact, be satisfactory and acceptable from a planning standpoint.

[68] This aptly describes that a zoning by-law is not a one size fits all; the way the variance is manifested is important. The Tribunal finds this is in essence exactly the situation in this matter.

[69] On the basis of the evidence provided the Tribunal is satisfied that the variances that allow for this development meet the intent and purpose of the Official Plan. The Tribunal is satisfied that the intent and purpose of the zoning by-law is met by this proposed redevelopment. The home will fit compatibly within its context and within the neighbourhood. The Tribunal is satisfied that the variances that allow this development are minor and that there is no undue adverse impact from this development. The Tribunal finds this to be a desirable and appropriate development of the lands.

ORDER

[70] The Tribunal allows the appeal and authorizes the requested variances to Zoning By-law No. 0225-2007, as amended, subject to the Condition of Approval below.

Condition of Approval:

1. The proposed dwelling shall be constructed substantially in accordance with the Site Plan and Elevations dated January 2016, filed as Exhibit 2, and appended here as Attachment 1.

[71] The requested variances are as provided in paragraph [8] above.

"H. Jackson"

H. JACKSON
MEMBER

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Environment and Land Tribunals Ontario

Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

636 SHENANDOAH DRIVE

LOT 44
 REGISTERED PLAN 599
 CITY OF MISSISSAUGA
 REGIONAL MUNICIPALITY OF PEEL
 OWNER SIAMAK KIANI

THE INFORMATION FOR THIS SITE PLAN HAS BEEN OBTAINED FROM A COPY OF A SURVEY PLAN PREPARED BY SALNA SURVEYING, O.L.S. DATED DECEMBER 28, 2015. THE INFORMATION SHOWN HEREON, INCLUDING GRADES SHALL NOT BE USED FOR ANY LEGAL / ZONING / OR CONSTRUCTION PURPOSE WITHOUT CONFIRMING THE ACCURACY THEREOF BY REFERENCE TO THE APPLICABLE SURVEY.

GENERAL SITE INFORMATION

- REFER TO ALL APPLICABLE LANDSCAPING & SEPTIC SYSTEM PLANS & SPECIFICATIONS TO BE SUPPLIED BY OWNER FOR ADDITIONAL, DETAILED SITE RELATED WORKS AND INFORMATION.

- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION AND CONNECTION FEES AND PERMITS REQUIRED FOR BUILDING SERVICES, INCLUDING ENTRANCES, HYDRO, WELL, SEPTIC, TELEPHONE, ETC. AS WELL AS THE INSTALLATION OF SUCH BUILDING SERVICES.

- ALL ENTRANCE AND EXIT RAMPS ACROSS BOULEVARDS SHALL BE PAVED OR OTHERWISE FINISHED TO APPLICABLE MUNICIPAL STANDARDS AND SPECIFICATIONS.

- WHERE PAVING IS INDICATED, ALL DRIVE AND PARKING SURFACES SHALL BE PAVED WITH 100mm HOT MIXED, HOT LAID, ASPHALT (25mm HL3) & (75mm HL8) ON MINIMUM 150mm GRANULAR "A" & 300mm GRANULAR "B".

- ALL FILL & GRANULAR MATERIAL UNDER DRIVES, PARKING AREAS, AND SIDEWALKS SHALL BE COMPACTED TO 100% S.P.M.D.D. (MIN. 6" GRANULAR)

- UNLESS OTHERWISE AGREED TO IN WRITING, THE OWNER ASSUMES RESPONSIBILITY FOR THE SUITABILITY OF ALL SOIL CONDITIONS. ALL DESIGNS HAVE BEEN BASED ON THE EXISTING UNDISTURBED SOIL HAVING AN ALLOWABLE BEARING CAPACITY OF 4000 P.S.F.

- ALL UTILITIES WHICH OBSTRUCT ENTRANCES SHALL BE RELOCATED AS REQUIRED TO APPLICABLE AUTHORITIES SPECIFICATIONS.

- ALL SITE WORKS SHALL BE CONSTRUCTED IN STRICT ACCORDANCE WITH CITY OF MISSISSAUGA STANDARDS, SPECIFICATIONS, AND DETAILS WHICH SHALL BE DEEMED TO FORM PART OF THIS SITE PLAN.

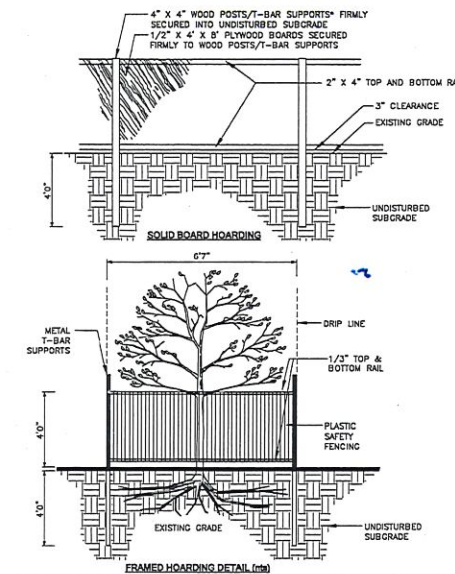
- ALL SURFACE DRAINAGE SHALL BE CONFINED WITHIN THE BOUNDARIES OF THE OWNER'S PROPERTY EXCEPT AS SPECIALLY INDICATED.

- EXISTING GRADING & DRAINAGE PATTERNS SHALL NOT BE ALTERED OR DISTURBED IN ANY WAY EXCEPT AS SHOWN IN THE AREA OF THE NEW RESIDENCE AND ASSOCIATED DRIVEWAY, ETC.

- MINIMUM SLOPES FOR GRASSED AREAS 1.5%,
 MINIMUM SLOPES FOR PAVED OR SURFACED AREAS 1.0% (EXCEPT AS SHOWN OTHERWISE.)



1. THE AREA WITHIN THE DRIPLINE OF ALL EXISTING TREES SHALL BE PROPERLY PROTECTED WITH FENCING AS DETAILED.
2. THE AREA WITHIN THE PROTECTED FENCING SHALL REMAIN UNDISTURBED AND SHALL NOT BE USED FOR THE STORAGE OF MATERIALS, EQUIPMENT OR VEHICLES.
3. PRUNE BRANCHES TO REMOVE DAMAGED LIMBS. DO NOT DAMAGE LEADERS. ALL CUTS OVER 25mm SHALL BE TREATED IN ACCORDANCE WITH APPROPRIATE HORTICULTURAL PRACTICES AS APPROVED BY THE COMMUNITY SERVICES DEPARTMENT.
4. CUTTING OF ROOTS OR CHANGING OF GRADES AROUND EXISTING TREES TO BE PRESERVED WILL NOT BE PERMITTED WITHOUT THE APPROVAL OF THE COMMUNITY SERVICES DEPARTMENT.
5. IF TREES ARE BEING ADVERSELY AFFECTED BY CONSTRUCTION, A WATERING AND FERTILIZING PROGRAM IS TO BE SET UP TO THE SATISFACTION OF THE COMMUNITY SERVICES DEPARTMENT.
6. TREE PROTECTION FENCING MAY BE REQUIRED AROUND INDIVIDUAL TREES TO REMAIN AND/OR AROUND TREE PRESERVATION ZONES AS IDENTIFIED ON THE APPROVED TREE PRESERVATION PLANS.
7. TREES IDENTIFIED FOR PRESERVATION BUT WHICH DIE, OR ARE DAMAGED BEYOND REPAIR, SHALL BE REPLACED AT THE DEVELOPERS' EXPENSE WITH A SIZE AND SPECIES OF TREE APPROVED BY THE COMMUNITY SERVICES DEPARTMENT.
8. ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE NOTED.



Ex 2
 Exhibit PL170571
 Ontario
 File of Municipal Board

405.39m²

Hyphen
 STUDIO

Date	Issued for	By
16-01-03	Client Review	NM
16-01-13	Client Review	NM
16-01-15	SPR	NM
16-01-24	Client Review	NM
16-03-13	As Per City	NM
17-03-16	2nd COA	NM

I hereby certify that this drawing conforms in all respects to the site development plans as approved by the City of Mississauga under file number SPI 16/066 W2" *N. Mozaffari*

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 THE UNDERSIGNED HAS REVIEWED & TAKES RESPONSIBILITY FOR THIS DESIGN, & HAS THE QUALIFICATIONS & MEETS THE REQUIREMENTS SET OUT IN THE O.B.C. TO BE A DESIGNER
 NOSHIN MOZAFFARI
 BCIN # 46426
 HYPHEN STUDIO Inc.
 BCIN #101757
N. Mozaffari

636 SHENANDOAH DR.
 SPI 16/066 W2

Project:
 SINGLE FAMILY DWELLING
 MISSISSAUGA, ONTARIO

Sheet Title:
 COVER

Drawn: Author
 Checked: Checker
 Project No: 101-16
 Date: JAN 2016
 Scale: A100

BUILDING AND ZONING

THE SUBJECT PROPERTY IS ZONED "R2-4" PER CITY OF MISSISSAUGA MASTER BYLAW 0225-2007, ENACTING BYLAW BL-0225/07

LOT 44-REGISTERED PLAN 599
CITY OF MISSISSAUGA
REGIONAL MUNICIPALITY OF PEEEL
OWNER SIAMAK KIANI

SITE ANALYSIS

	Area(metric)	Area(Imperial)
LOT AREA	973.20 m ²	10475.42 SF
LOT FRONTAGE	24.70m	
AVERAGE GRADE	94.99 m	

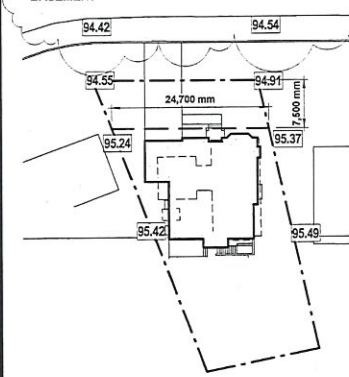
	Area(metric)	Area(Imperial)
LOT COVERAGE	25% 245.94 m ²	2647.29 SF
LOT COVERAGE(ALLOWED)	30% 291.9m ²	3143 SF

Setbacks	Allowed	Proposed
Front Setback	9.0m	9.0 m
Side Yard (North) Setback	1.8 m	1.8 m
Side Yard (South) Setback	1.8 m	1.8 m
Rear Yard Setback	18.10 m	18.10 m
Max. Building Length	20.00 m	17.21 m
Max. Height	9.5m	9.35m
Height to Eaves	6.4m	6.4m
Proposed Combined Side Yards		3.88

YARD ANALYSIS	Area(metric)	Area(Imperial)
Front Yard Area	231.8 m ²	2495 s.f.
Driveway(24%)	54.7 m ²	588 s.f.
Hard Landscape(10%)	16.3 m ²	175 s.f.
Soft Landscape Area(90%)	160.8 m ²	1732 s.f.
Rear Yard Area	372.2 m ²	4007 s.f.
Provided Parking Spaces		

GROSS FLOOR AREA(GFA)-Infill Residential

	Area(metric)	Area(Imperial)
MAIN FLOOR	200.22 m ²	2155.17 SF
2nd FLOOR	167.37 m ²	1801.54 SF
GARAGE	37.80 m ²	406.83 SF
Total G.F.A.-Infill Residential	405.39 m ²	4363.54 SF
BASEMENT	209.65 m ²	2256.69 SF



MAX. ALLOWED GFA:
20% LOT AREA+190m²=194.64+190=384.64 m²(4140 ft²)

AVERAGE GRADE CALCULATION:
(94.42+94.54+94.55+94.91+95.24+95.37+95.42+95.49)/8 = 94.99

Works in the municipal right-of-way being performed by the City's contractor will require 4 to 6 weeks notice prior to commencement of construction after all drawings have been approved and securities have been received." The applicant is to indicate in their submission package for the right-of-way works the ideal timing for these works to be constructed.

All surface drainage will be self contained, collected and discharged at a location to be approved prior to the issuance of a building permit." The portions of the driveway within the municipal boulevard will be paved by the applicant.

At the entrances to the site, the municipal curb and sidewalk will be continuous through the driveway and a curb depression will be provided for each entrance.

All proposed curbing within the Municipal boulevard area for the site is to suit as follows: a) for all single family residential properties including on street townhouses, all curbing is to stop at the property limit or the back of the Municipal sidewalk, whichever is applicable, or b) for all other proposals including Industrial, Commercial and Condominium developments, all entrances to the site are to be in accordance with O.P.S.D. 360.016.

All excess excavated material will be removed from the site.

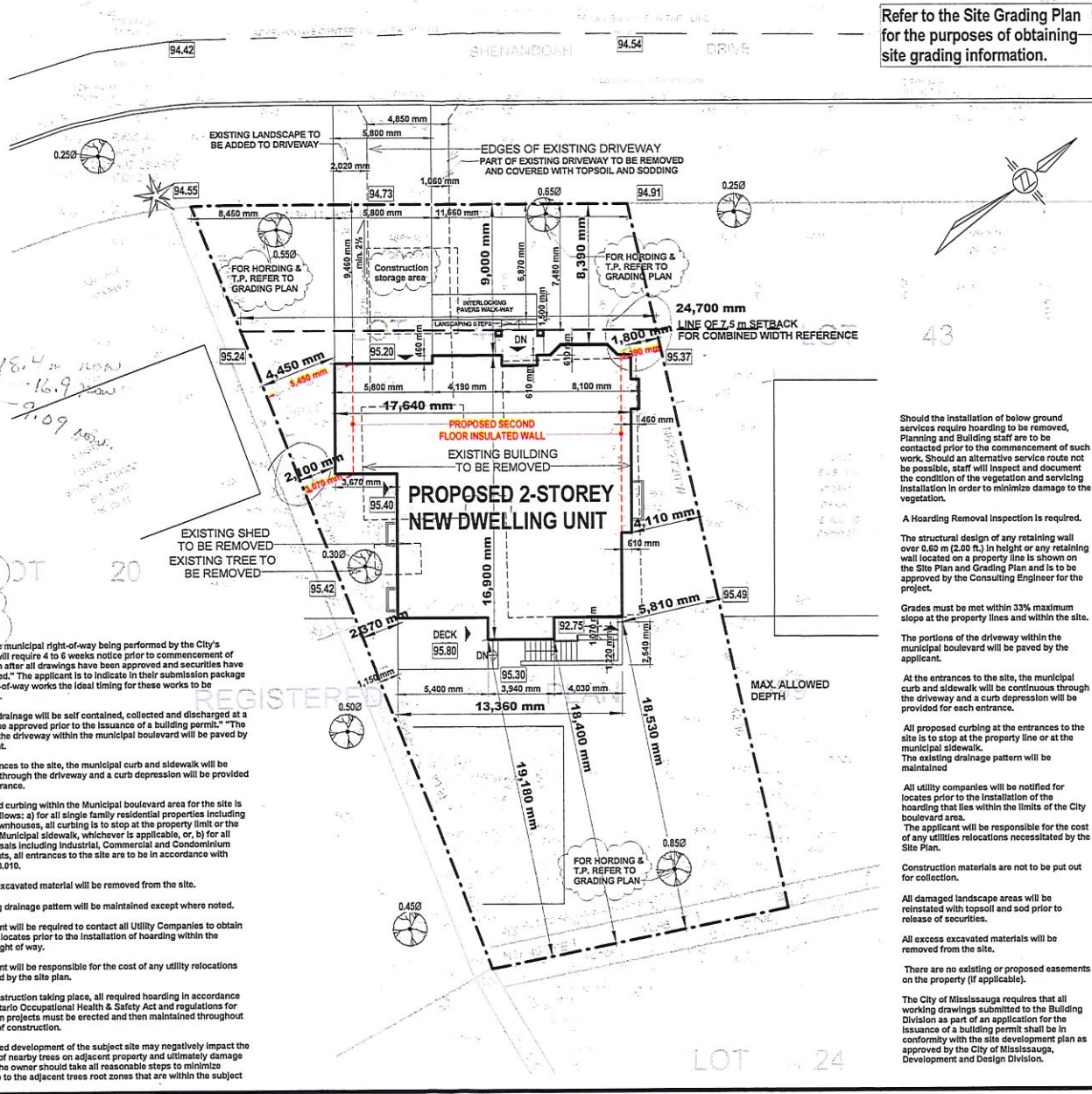
The existing drainage pattern will be maintained except where noted.

The applicant will be required to contact all Utility Companies to obtain all required locates prior to the installation of hoarding within the Municipal right of way.

The applicant will be responsible for the cost of any utility relocations necessitated by the site plan.

Prior to construction taking place, all required hoarding in accordance with the Ontario Occupational Health & Safety Act and regulations for construction projects must be erected and then maintained throughout all phases of construction.

The proposed development of the subject site may negatively impact the root zones of nearby trees on adjacent property and ultimately damage the trees. The owner should take all reasonable steps to minimize disturbance to the adjacent trees root zones that are within the subject site.



Refer to the Site Grading Plan for the purposes of obtaining site grading information.

Should the installation of below ground services require hoarding to be removed, Planning and Building staff are to be contacted prior to the commencement of such work. Should an alternative service route not be possible, staff will inspect and document the condition of the vegetation and servicing installation in order to minimize damage to the vegetation.

A Hoarding Removal Inspection is required. The structural design of any retaining wall over 0.60 m (2.00 ft.) in height or any retaining wall located on a property line is shown on the Site Plan and Grading Plan and is to be approved by the Consulting Engineer for the project.

Grades must be met within 33% maximum slope at the property lines and within the site.

The portions of the driveway within the municipal boulevard will be paved by the applicant.

At the entrances to the site, the municipal curb and sidewalk will be continuous through the driveway and a curb depression will be provided for each entrance.

All proposed curbing at the entrances to the site is to stop at the property line or at the municipal sidewalk. The existing drainage pattern will be maintained.

All utility companies will be notified for locates prior to the installation of the hoarding that lies within the limits of the City boulevard area.

The applicant will be responsible for the cost of any utilities relocations necessitated by the Site Plan.

Construction materials are not to be put out for collection.

All damaged landscape areas will be reinstated with topsoil and sod prior to release of securities.

All excess excavated materials will be removed from the site.

There are no existing or proposed easements on the property (if applicable).

The City of Mississauga requires that all working drawings submitted to the Building Division as part of an application for the issuance of a building permit shall be in conformity with the site development plan as approved by the City of Mississauga, Development and Design Division.

Hyphen
STUDIO

Date	Issued for:	By:
16-01-03	Client Review	NM
16-01-13	Client Review	NM
16-01-15	S/PA	NM
16-01-24	Client Review	NM
16-03-13	As Per City	NM
17-03-16	2nd COA	NM

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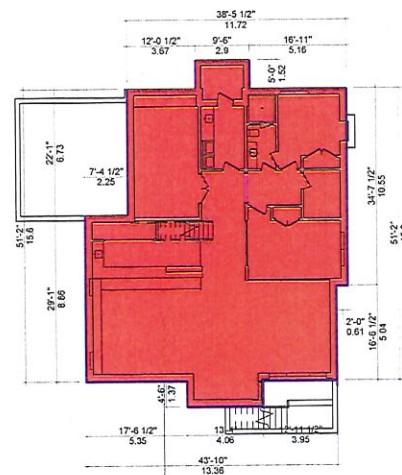
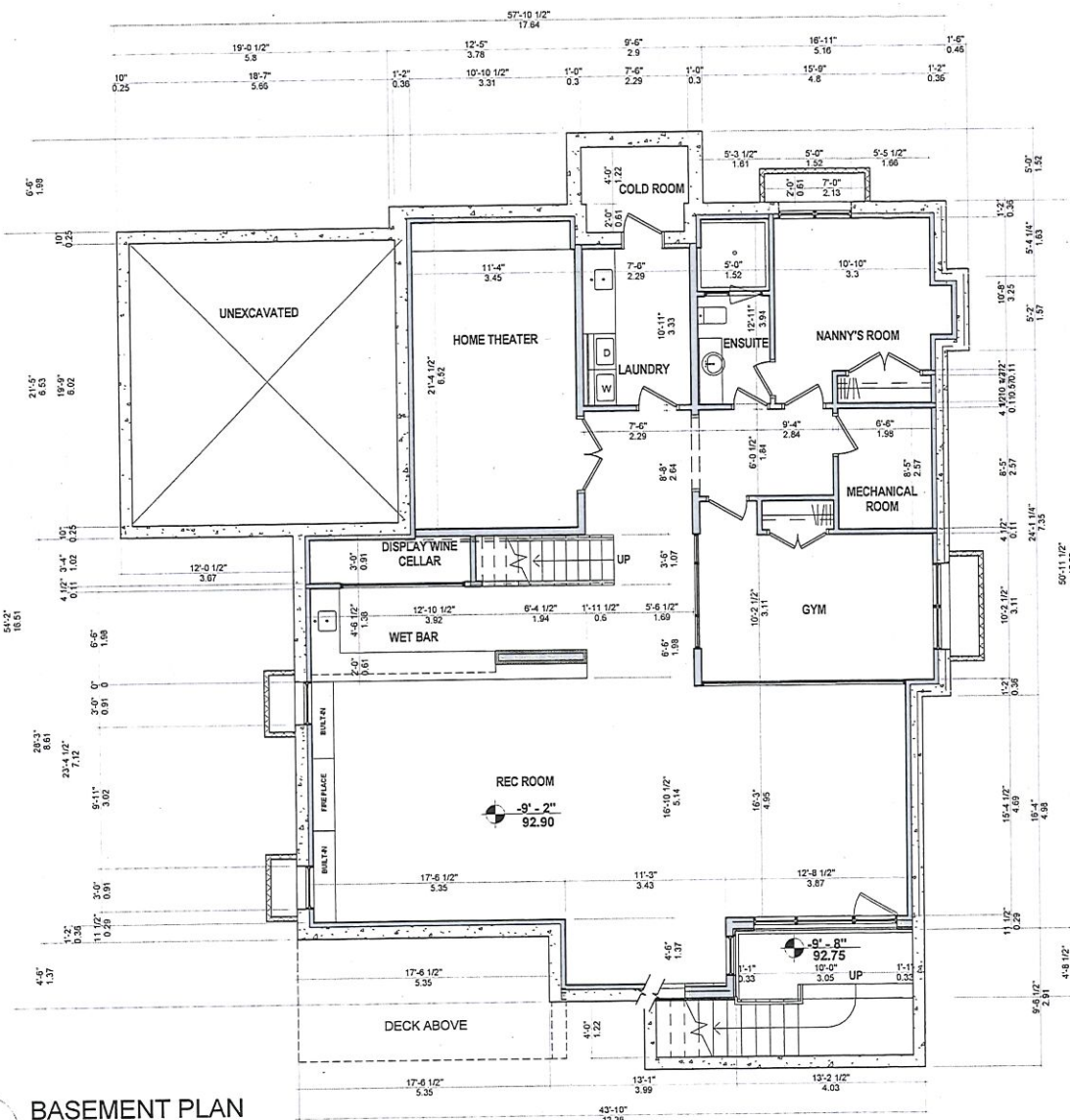
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636 SHENANDOAH DR.
S/PA 16/066 W2

Project:
SINGLE FAMILY DWELLING
MISSISSAUGA, ONTARIO

Sheet Title:
SITE PLAN

Drawn: MA Sheet No:
Checked: NM
Project No: 101-16
Date: JAN 2016
Scale: As indicated A101



BASEMENT
 2256.69 ft²
 209.65 m²

Hyphen
 STUDIO

Date	Issued for:	By:
16-01-03	Client Review	NM
16-01-13	Client Review	NM
16-01-15	S/PA	NM
16-01-24	Client Review	NM
16-03-13	As Per City	NM
17-03-16	2nd COA	NM

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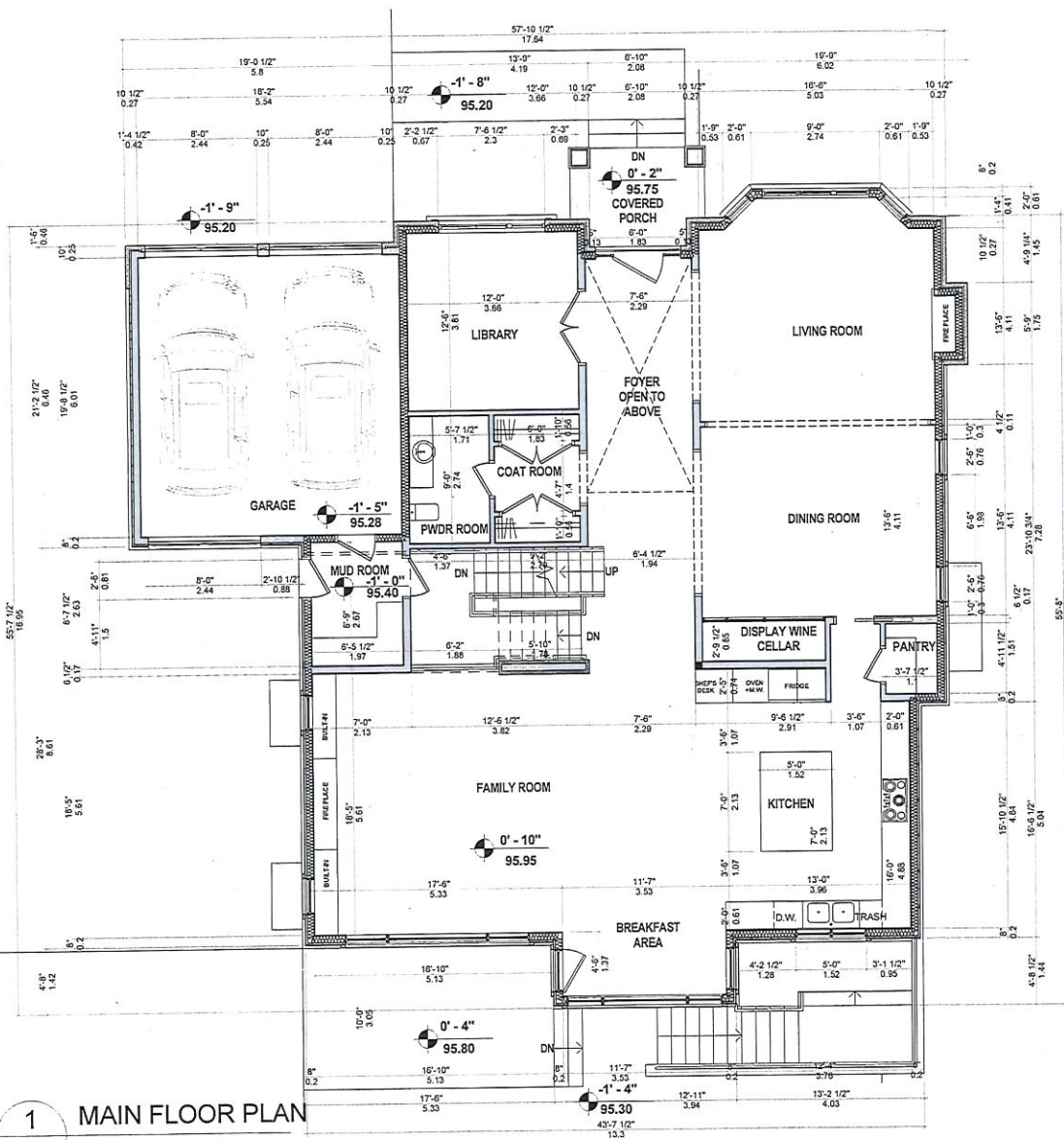
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 N. MOZAFFARI
 BCIN # 46428
 HYPHEN STUDIO INC.
 BCIN #151727
 Client:

636 SHENANDOAH DR.
 SPI 16/066 W2

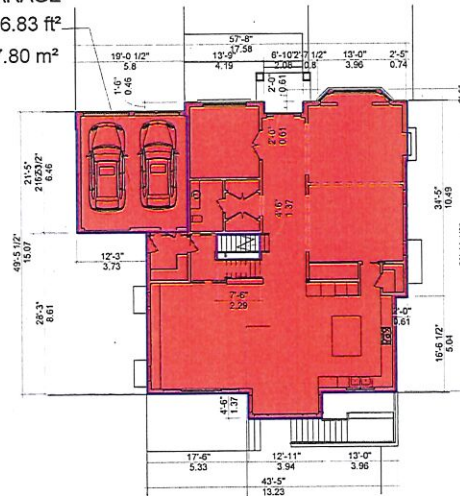
Project:
 SINGLE FAMILY DWELLING
 MISSISSAUGA, ONTARIO

Sheet Title:
 BASEMENT PLAN

Drawn:	MA	Sheet No.:
Checked:	NM	
Project No:	101-16	
Date:	JAN 2016	
Scale:	As indicated	A102



GARAGE
406.83 ft²
37.80 m²



MAIN FLOOR
2155.17 ft²
200.22 m²

Hyphen
STUDIO

Date	Issued for	By
16-01-03	Client Review	NM
16-01-13	Client Review	NM
16-01-15	SIPA	NM
16-01-24	Client Review	NM
16-03-13	As Per City	NM
17-03-16	2nd COA	NM

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 NOSHIM MOZAFFARI
 BCIN # 48428
 HYPHEN STUDIO INC.
 BCIN #161717
 Client:

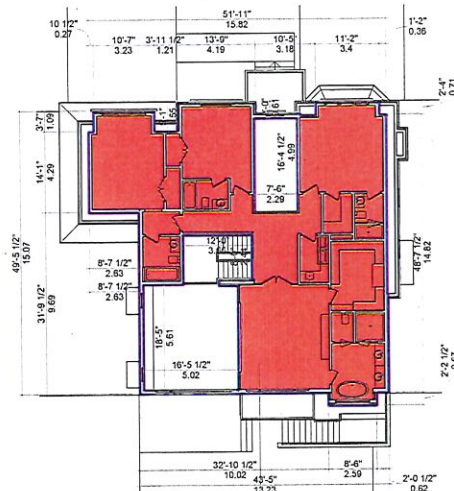
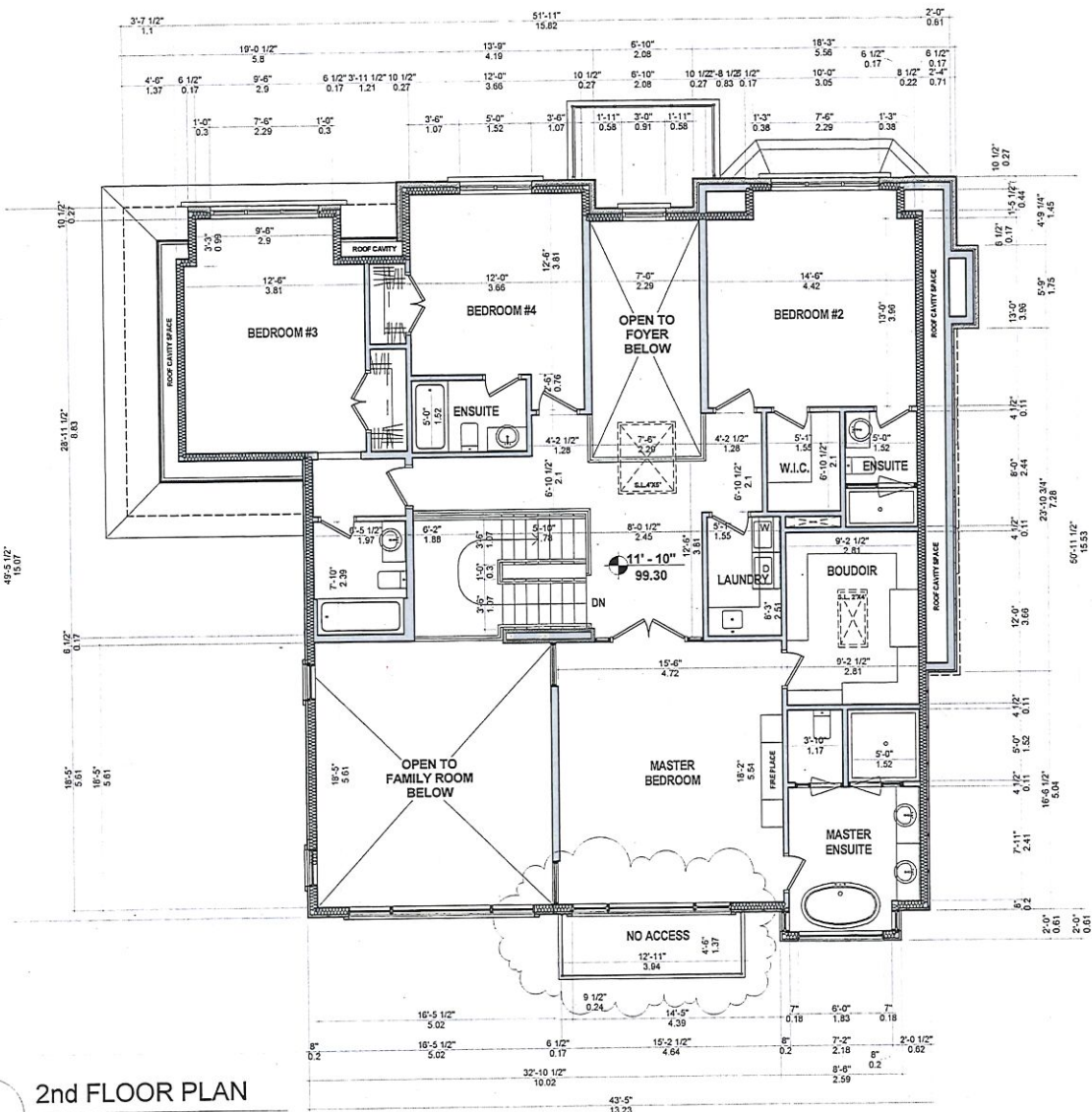
636 SHENANDOAH DR.
SPI 16/066 W2

Project:
SINGLE FAMILY DWELLING
MISSISSAUGA, ONTARIO

Sheet Title
MAIN FLOOR PLAN

Drawn: MA Sheet No:
Checked: NM
Project No: 101-16
Date: JAN 2016
Scale: As indicated

A103



2nd FLOOR
 1801.54 ft²
 167.37 m²

Hyphen
 STUDIO

Date	Issued for:	By:
16-01-03	Client Review	NM
16-01-13	Client Review	NM
16-01-15	SPA	NM
16-01-24	Client Review	NM
16-03-13	As Per City	NM
17-03-16	2nd COA	NM

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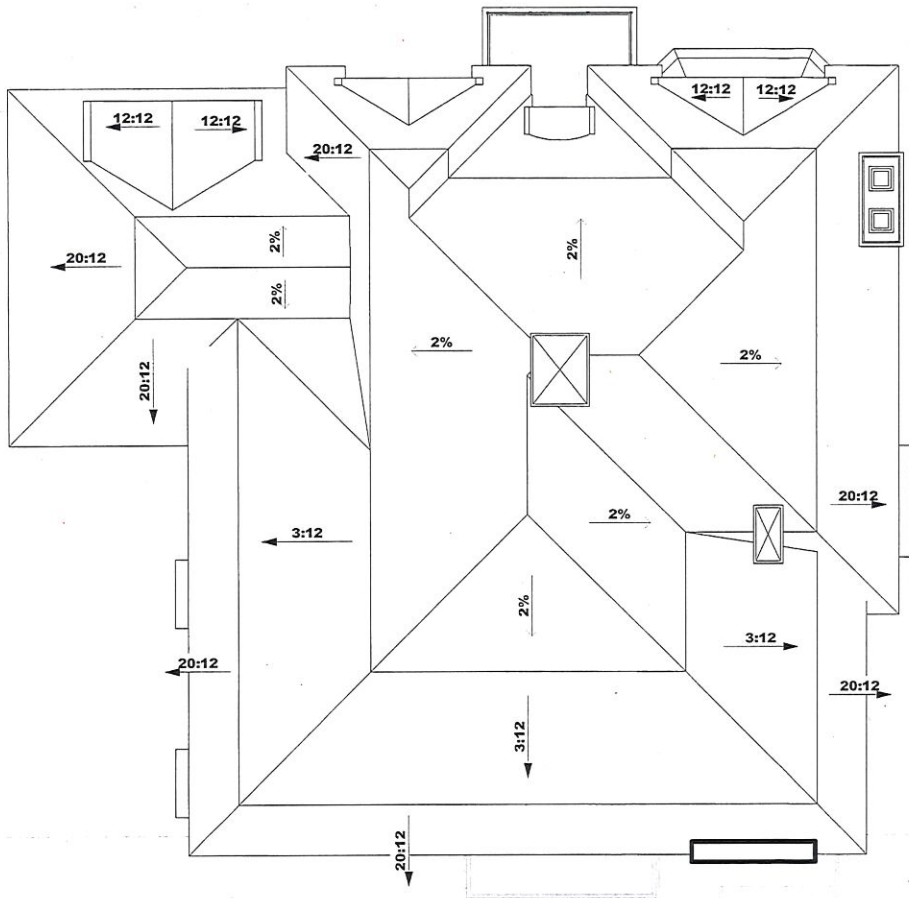
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 NORDRIN MOZAFFARI
 BCIN # 46468
 NYHEN STUDIO INC.
 BCIN #101737
N. Mozaffari

636 SHENANDOAH DR.
 SPI 16/066 W2

Project:
 SINGLE FAMILY DWELLING
 MISSISSAUGA, ONTARIO

Sheet Title:
 2ND FLOOR PLAN

Drawn: MA
 Checked: NM
 Project No: 101-16
 Date: JAN 2016
 Scale: As indicated
 Sheet No:
 A104



Hyphen
STUDIO

Date	Issued for	By
16-01-03	Client Review	NM
16-01-13	Client Review	NM
16-01-15	SPA	NM
16-01-24	Client Review	NM
16-03-13	As Per City	NM
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 NUSHEEN MOZAFFARI
 BCIN # 46468
 HYPHEN STUDIO Inc.
 BCIN #181727
N. Mozaafari
 Client

636 SHENANDOAH DR.
SPI 16/066 W2

Project:
SINGLE FAMILY DWELLING
MISSISSAUGA, ONTARIO

Sheet Title:
ROOF PLAN

Drawn:	MA	Sheet No.:	
Checked:	NM		
Project No:	101-16		
Date:	JAN 2016		
Scale:	1:100		

A105



Hyphen
STUDIO

Date:	Issued for:	By:
16-01-03	Client Review	NM
16-01-13	Client Review	NM
16-01-15	SPA	NM
16-01-24	Client Review	NM
16-03-13	As Per City	NM
17-03-16	2nd COA	NM

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 NOUSHIN MOZAFFARI
 BCIN # 45488
 HYPHEN STUDIO Inc.
 BCIN #101757
N. Mozaafari

Client:
636 SHENANDOAH DR.
SPI 16/066 W2

Project:
SINGLE FAMILY DWELLING
MISSISSAUGA, ONTARIO

Sheet Title:
WEST ELEVATION
(MAIN)

Drawn: MA
 Checked: PN
 Project No: 101-16
 Date: JAN 2016
 Scale: 3/16" = 1'-0" A201



Hyphen
STUDIO

Date	Issued for	By
16-01-03	Client Review	NM
16-01-13	Client Review	NM
16-01-15	SPA	NM
16-01-24	Client Review	NM
16-03-13	As Per City	NM
17-03-16	2nd COA	NM

I hereby certify that this drawing conforms in all respects to the site development plans as approved by the City of Mississauga under file number SP16/066 W2" *N. Mozaafari*

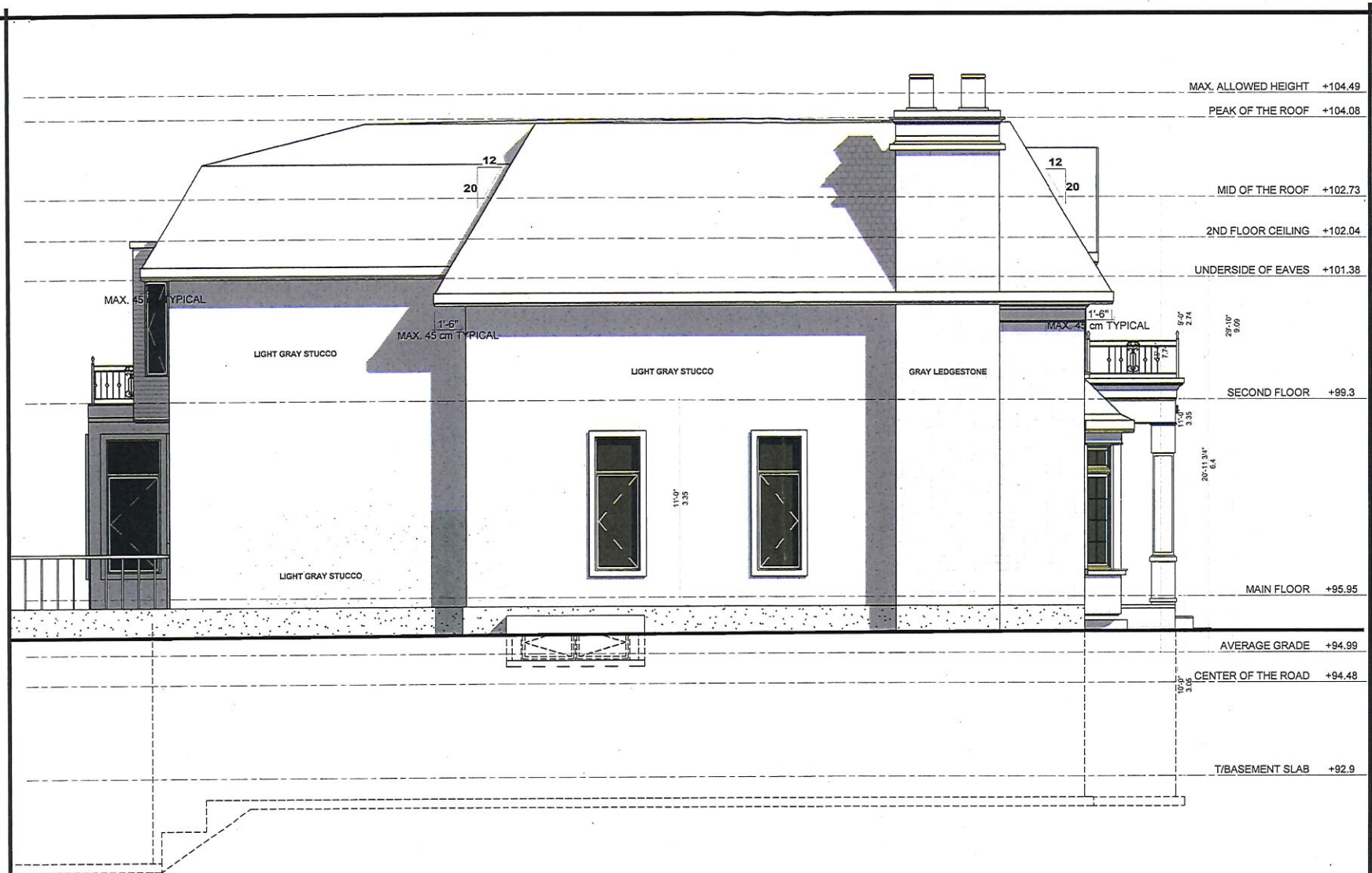
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 NOUSHIN MOZAFFARI
 BCIN # 44468
 HYPHEN STUDIO Inc.
 BCIN #101237
N. Mozaafari

636 SHENANDOAH DR.
SPI 16/066 W2

Project:
SINGLE FAMILY DWELLING
MISSISSAUGA, ONTARIO

Sheet Title:
EAST ELEVATION
(REAR)

Drawn: MA Sheet No:
Checked: PN
Project No: 101-16
Date: JAN 2016
Scale: 3/16" = 1'-0" **A202**



MAX. ALLOWED HEIGHT +104.49
 PEAK OF THE ROOF +104.08
 MID OF THE ROOF +102.73
 2ND FLOOR CEILING +102.04
 UNDERSIDE OF EAVES +101.38
 SECOND FLOOR +99.3
 MAIN FLOOR +95.95
 AVERAGE GRADE +94.99
 CENTER OF THE ROAD +94.48
 T/BASEMENT SLAB +92.9

Hyphen
 STUDIO

Date	Issued for	By
16-01-03	Client Review	NM
16-01-13	Client Review	NM
16-01-15	SPA	NM
16-01-24	Client Review	NM
16-03-13	As Per City	NM
17-03-16	2nd COA	NM

I hereby certify that this drawing conforms in all respects to the site development plans as approved by the City of Mississauga under file number SPI 16/066 W2* *N. Moazzari*

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 NOUSHIN MOAZZARI
 HYPHEN STUDIO Inc.
 BCIN #1011737
 Client:

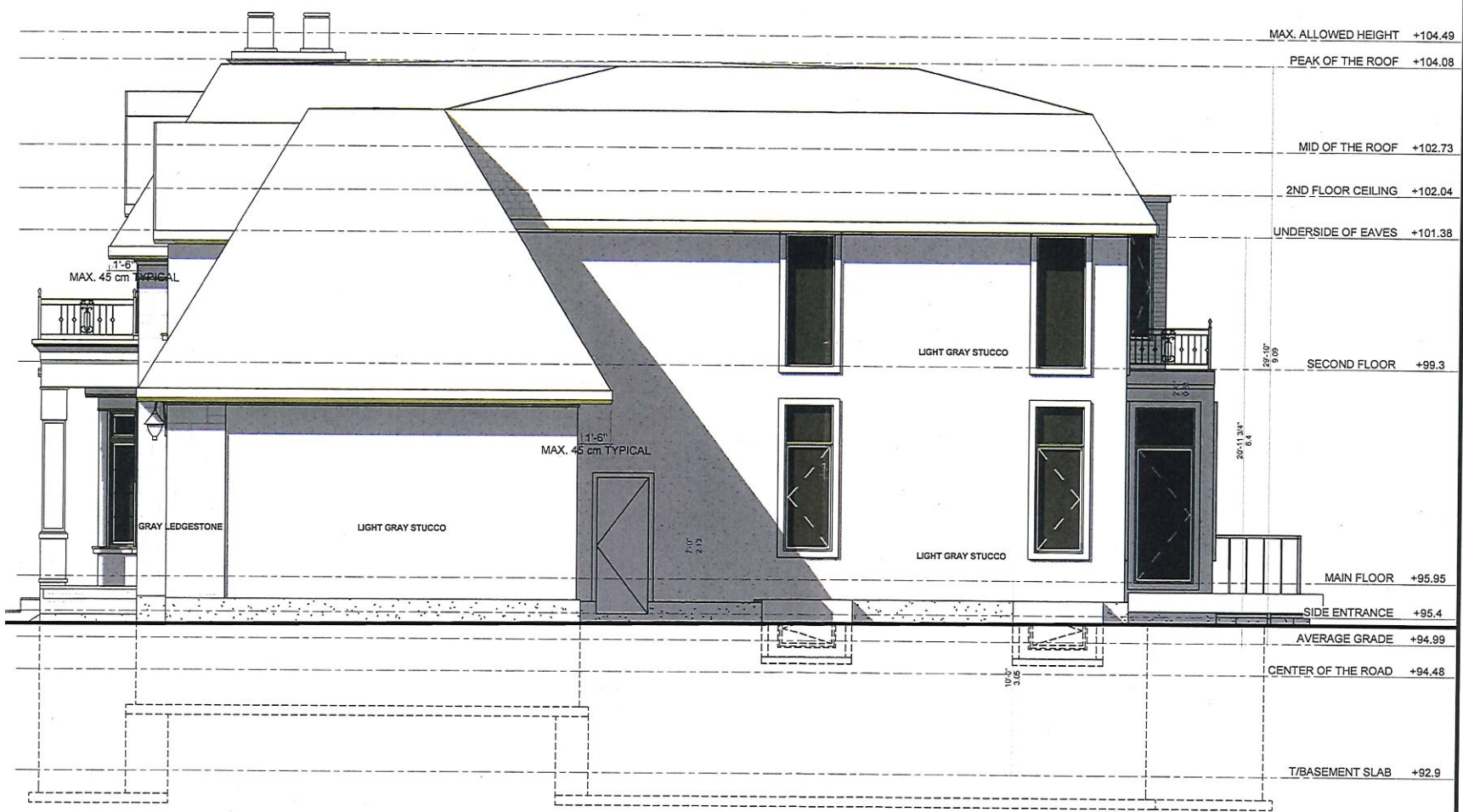
636 SHENANDOAH DR.
 SPI 16/066 W2

Project:
 SINGLE FAMILY DWELLING
 MISSISSAUGA, ONTARIO

Sheet Title:
 NORTH ELEVATION
 (SIDE)

Drawn: MA Sheet No:
 Checked: PN
 Project No: 101-16
 Date: JAN 2016
 Scale: 3/16" = 1'-0"

A203



MAX. ALLOWED HEIGHT	+104.49
PEAK OF THE ROOF	+104.08
MID OF THE ROOF	+102.73
2ND FLOOR CEILING	+102.04
UNDERSIDE OF EAVES	+101.38
SECOND FLOOR	+99.3
MAIN FLOOR	+95.95
SIDE ENTRANCE	+95.4
AVERAGE GRADE	+94.99
CENTER OF THE ROAD	+94.48
T/BASEMENT SLAB	+92.9

Hyphen
STUDIO

Date:	Issued for:	By:
15-01-03	Client Review	NM
15-01-13	Client Review	NM
15-01-13	SFA	NM
15-01-24	Client Review	NM
16-03-13	As Per C27	NM
17-03-16	2nd COA	NM

I hereby certify that this drawing conforms in all respects to the site development plans as approved by the City of Mississauga under file number SPI 16/066 W2"

N. Mozaafari

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 NOUSHIN MOZAFFARI
 BCIN # 48468
 HYPHEN STUDIO Inc.
 BCIN #101727

Client:
636 SHENANDOAH DR.
SPI 16/066 W2

Project:
SINGLE FAMILY DWELLING
MISSISSAUGA, ONTARIO

Sheet Title:
SOUTH ELEVATION (SIDE)

Drawn: MA
 Checked: PN
 Project No: 101-16
 Date: JAN 2016
 Scale: 3/16" = 1'-0"

Sheet No:
A204