

Minutes of the 6th Meeting

Committee of Adjustment

Meeting Date: Thursday May 5, 2022
Meeting Time: 7:00 p.m.
Meeting Location: Whitby Municipal Building
575 Rossland Road East, Committee Room 1

Present:

S. Haslam, Chair
N. Chornobay
J. Cardwell
B. O'Carroll
D. McCarroll
J. Malfara, Secretary-Treasurer

Item 1: Disclosure of Interest:

There was no disclosure of interest by the members of the Committee of Adjustment

Carried

Item 2: Public Hearings

A/20/22

**Julie Odanski of David Small Designs
176 Way Street**

An application has been received from Julie Odanski of David Small Designs, for variances from the provisions of By-law 1784.

The application is for permission to (1) increase the maximum permitted lot coverage from 20% to 29.7%; (2) increase the maximum permitted driveway width from 7.5m to 8.2m; and (3) reduce the minimum front yard setback from 10.5m to 5.5m.

The requested variances are required to permit the development of a new two storey detached dwelling on the subject property.

The subject property is located at 176 Way Street and is zoned Brooklin Secondary Plan Residential 2 Exception 1 (R2-BP-1) within the Town of Whitby Zoning By-law 1784.

In Support of Application

Peter Giordano (Applicant)

In Opposition of Application

None at this time.

The Chair introduced the application and asked if anyone would like to speak to the subject application.

P. Giordano introduced himself to the Committee as the applicant and noted that this application was tabled from the April 14th Committee of Adjustment meeting. He advised the Committee that the Variance #3 was reviewed by his team and the plan was adjusted to accommodate a 7.0m front yard setback, opposed to 5.5m which was originally proposed.

P. Giordano shared a photo of the site plan illustrating the amended 7.0m front yard setback. He noted that the main dwelling would be setback approximately 10.5m from the streetline, whereas only a small portion of the garage would encroach into the front yard and required the 7.0m setback. This is a result of the irregular front lot line configuration.

The Chair asked if there were any questions from the Committee.

N. Chornobay asked the applicant to confirm that variance #3 is being amended from 5.5m to 7.0m.

P. Giordano replied yes.

J. Cardwell asked what the setback is between the garage doors and the street line.

P. Giordano replied approximately 16.0m.

D. McCarroll advised that he had no comments on the matter.

B. O'Carroll asked if the requested lot coverage takes into account any future accessory structures.

P. Giordano replied no and noted that if the owner would like to construct any additional structures on the property, they will require another variance to increase the lot coverage.

J. Malfara advised the Committee that staff has no concerns with the amended variance #3.

D. McCarroll made a motion to accept the amended variance #3. The motion was carried.

The Chair asked J. Malfara, Secretary-Treasurer, if any correspondence had been received in relation to the subject application.

J. Malfara advised the Committee that no correspondence was received.

The Chair asked if there was anyone from the public who wished to speak to the subject application. There was no one.

Moved by: J. Cardwell

That the application to (1) reduce the maximum permitted lot coverage from 20% to 29.7%; (2) increase the maximum permitted driveway width from 7.5m to 8.2m; and (3) reduce the minimum front yard setback from 10.5m to 7.0m located at 176 Way Street be **Granted** subject to the following conditions:

1. The site grading shall conform to the requirements of the Engineering Services Department; and
2. Drainage and roof leaders from the proposed structure shall not spill onto the neighbouring property.

Carried

Reason: The members of the Committee were of the opinion that the variances are minor in nature; that the general intent and purpose of the By-law and the Official Plan is being maintained, and further that the granting of the application is desirable and would result in the appropriate development of the property.

Having considered the contents of all submissions, the staff report and oral submissions had an effect on the Committee's decision.

Item 2: Public Hearings

A/22/22

**Donna Jane Grylls
118 Chestnut Street West**

An application has been received from Donna Jane Grylls, for a variance from the provisions of By-law 2585.

The application is for permission to increase the maximum size of an accessory structure (garage) from 55.3 sq.m to 63.0 sq.m.

The requested variance is required to permit the construction of a detached 2 car garage within the rear yard of the subject property.

The subject property is located at 118 Chestnut Street West and is zoned Residential Type 3 (R3) within the Town of Whitby Zoning By-law 2585.

In Support of Application Donna Grylls (applicant)

In Opposition of Application None at this time.

The Chair introduced the application and asked if anyone would like to speak to the subject application.

D. Grylls introduced herself to the Committee and provided an overview of the requested variance. She noted that the variance is required to permit a proposed detached garage on her property.

The Chair asked if there were any questions from the Committee.

J. Cardwell asked the applicant if she was aware of flooding concerns raised by neighbouring property owners, and if these concerns have been relayed to the Town's Engineering Department.

D. Grylls replied yes.

D. McCarroll stated that he had no comments and was in support of the variance.

B. O'Carroll noted that she had no comments and was in support of the variance.

N. Chornobay echoed B. O'Carroll's comment.

The Chair asked J. Malfara, Secretary-Treasurer, if any correspondence had been received in relation to the subject application.

J. Malfara advised the Committee that two letters were received from the neighbouring property at 114 and 116 Chestnut Street. The letters outlined concerns regarding

existing flooding issues, and there were requests that the proposed detached garage does not result in further flooding issues.

The Chair asked if there was anyone from the public who wished to speak to the subject application. There was no one.

Moved by: B. O'Carroll

That the application to increase the maximum size of an accessory structure (garage) from 55.3 sq.m to 63.0 sq.m located at 118 Chestnut Street West be **Granted** subject to the following conditions:

1. The site grading shall conform to the requirements of the Engineering Services Department; and
2. Roof leaders from the proposed structure shall not spill onto the neighbouring properties.

Carried

Reason: The members of the Committee were of the opinion that the variance is minor in nature; that the general intent and purpose of the By-law and the Official Plan is being maintained, and further that the granting of the application is desirable and would result in the appropriate development of the property.

Having considered the contents of all submissions, the staff report and oral submissions had an effect on the Committee's decision.

Item 2: Public Hearings

A/23/22

MWG Landscape & Construction 31 Centre Street West

An application has been received from MWG Landscape & Construction, for a variance from the provisions of By-law 1784.

The application is for permission to increase the maximum permitted lot coverage from 20% to 32.5%.

The requested variance is required to permit the construction of an accessory structure (pool cabana) within the rear yard of the subject property.

The subject property is located at 31 Centre Street West and is zoned Brooklin Secondary Plan Residential 3 (R3-BP) within the Town of Whitby Zoning By-law 1784.

In Support of Application	Marc Wilson (applicant) Jalynne Hall
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In Opposition of Application	None at this time.
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The Chair introduced the application and asked if anyone would like to speak to the subject application.

M. Wilson introduced himself to the Committee as the applicant and advised the Committee that the requested variance is required to permit the construction of a pool cabana in the rear yard of the property.

The Chair asked if there were any questions from the Committee.

N. Chornobay asked the applicant to clarify the exact location of the proposed cabana, as the submitted plan was difficult to read.

M. Wilson noted that the cabana will be located within the rear yard of the property parallel to the rear fence line.

There were no additional questions from the Committee.

The Chair asked J. Malfara, Secretary-Treasurer, if any correspondence had been received in relation to the subject application. There was none.

The Chair asked if there was anyone from the public who wished to speak to the subject application.

J. Hall introduced herself as the owner of the neighbouring property to the east. She advised the Committee that she and the applicant have been in discussion regarding the proposal and she has no objection to the variance.

There was no one else in attendance to speak to the application.

Moved by: D. McCarroll

That the application to increase the maximum permitted lot coverage from 20% to 32.5% located at 31 Centre Street West be **Granted** subject to the following conditions:

1. The site grading shall conform to the requirements of the Engineering Services Department;
2. Roof leaders from the proposed structure shall not spill onto the neighbouring properties; and
3. Provide to Engineering Services for their review and approval an acceptable Grading Plan and Stormwater Management Brief, demonstrating the feasibility of the proposal.

Carried

Reason: The members of the Committee were of the opinion that the variance is minor in nature; that the general intent and purpose of the By-law and the Official Plan is being maintained, and further that the granting of the application is desirable and would result in the appropriate development of the property.

Having considered the contents of all submissions, the staff report and oral submissions had an effect on the Committee's decision.

Item 2: Public Hearings

A/24/22

Robert Trousdale on Behalf of Breja Development Corp 1605 McEwen Drive

An application has been received from Robert Trousdale on behalf of Breja Development Corp, for variances from the provisions of By-law 1784.

The application is for permission to (1) permit non-visitor parking within a front or exterior side yard, and (2) reduce the minimum setback of a parking area to a streetline from 2.5m to 0.9m.

The requested variances is required to permit the construction of a building addition to the existing industrial building located on the subject property, and parking lot reconfiguration.

The subject property is located at 1605 McEwen Drive and is zoned Restricted Industrial (M1) within the Town of Whitby Zoning By-law 1784.

In Support of Application	Robert Trousdale (applicant)
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In Opposition of Application	None at this time.
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Also in Attendance	Doug Roy
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The Chair introduced the application and asked if anyone would like to speak to the subject application.

R. Trousdale introduced himself to the Committee as the applicant. He provided an overview of his company as well as the proposed industrial building addition at the subject property.

The Chair asked if there were any questions from the Committee. There were none.

The Chair asked J. Malfara, Secretary-Treasurer, if any correspondence had been received in relation to the subject application.

J. Malfara advised the Committee that a letter was received from Doug Roy of 1609 McEwen Drive, just prior to the meeting. J. Malfara noted that D. Roy was in attendance, and may wish to provide verbal comments.

The Chair asked if there was anyone from the public who wished to speak to the subject application.

D. Roy introduced himself to the Committee as the owner of a business at 1609 McEwen Drive. He expressed concerns with the proposed parking and asked what the proposed parking lot will be used for.

R. Trousdale stated that the proposed parking lot will be used for visitor and employee parking. He noted that a portion of the current lot is used for storage at the moment, but this activity will be relocated to within the building once the addition is constructed.

J. Malfara advised the Committee that notwithstanding the parking variance, the proposed building complies with all other Zoning provision.

N. Chornobay asked if the front yard setback of the proposed building will be similar to the front yard setback of 1609 McEwen Drive.

R. Trousdale was unaware, but also noted that the proposed front yard setback complied with the minimum By-law requirement.

The Chair asked if this proposed addition is subject to Site Plan Approval by the Planning and Development Department.

R. Trousdale replied yes.

R. Trousdale noted that if there are additional questions regarding the building addition following this meeting, he can be contacted for further discussions.

Moved by: N. Chornobay

That the application to (1) permit non-visitor parking within a front or exterior side yard, and (2) reduce the minimum setback of a parking area to a streetline from 2.5m to 0.9m located at 1605 McEwen Drive be **Granted** subject to the following conditions:

1. All Engineering Services requirements related to Site Plan application SP-04-22 are complied with; and
2. Appropriate plan review fees for the review of this application shall be provided to the Central Lake Ontario Conservation Authority.

Carried

Reason: The members of the Committee were of the opinion that the variances are minor in nature; that the general intent and purpose of the By-law and the Official Plan is being maintained, and further that the granting of the application is desirable and would result in the appropriate development of the property.

Having considered the contents of all submissions, the staff report and oral submissions had an effect on the Committee's decision.

Item 3: Approval of Previous Minutes

Moved by: D. McCarroll

That the minutes of the Committee of Adjustment held on Thursday April 14, 2022 be adopted.

Carried

Item 4: Other Business

There were no items raised under other business

Item 5: Adjournment

Moved by: D. McCarroll

That this meeting of the Committee of Adjustment be adjourned.

Carried

[Original Approved]

Secretary Treasurer

[Original Approved]

Chair