

Minutes of the 10th Meeting

Committee of Adjustment



Meeting Date: Thursday July 29, 2021

Meeting Time: 7:00 p.m.

Meeting Location: Virtual Meeting

Present:

N. Chornobay, Chair

S. Haslam

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/69/21

HOM Drafting and Design Inc. on behalf of Jean and Dale St. Pierre
403 Ontario Court

An application has been received from HOM Drafting and Design Inc. on behalf of Jean and Dale St. Pierre, for a variance from the provisions of By-law 2585.

The application is for permission to increase the maximum permitted size of accessory structures located on the subject property from 60.0 sq.m to 93.0 sq.m.

The requested variance is required to permit the construction of a detached garage on the subject property.

The subject property is located at 403 Ontario Court and is zoned Residential Type 2 – Downtown Zone (R2-DT) within the Town of Whitby Zoning By-law 2585.

In Support of Application Clinton Dochuk

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.

C. Dochuk introduced himself to the Committee as the applicant and designer. He provided an overview of the requested variance and noted that the variance is required to permit a detached garage on the property. He noted that the garage will be smaller than the main residential dwelling and will remain accessory in nature.

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

J. Cardwell asked if the existing shed where the proposed garage is to be located will be removed?

C. Dochuk replied yes.

D. McCarroll asked if the shed will be reconstructed elsewhere on the property.

C. Dochuk replied no.

B. O'Carroll asked if any vegetation will be removed.

C. Dochuk replied no.

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 public 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 increase the maximum permitted size of accessory structures located on the subject property from 60.0 sq.m to 93.0 sq.m located at 403 Ontario Court be **Granted** subject to the following conditions:

1. That the site grading and all other services conform to the requirements of the Public Works Department;
2. Drainage shall not be directed onto adjacent properties; and
3. 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 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/70/21

Nelson Bacao on Behalf of Dominic Bonin of Ground Effects
1655 Tricont Ave

An application has been received from Nelson Bacao on Behalf of Dominic Bonin of Ground Effects, for a variance from the provisions of the Town of Whitby Zoning By-law 1784.

The application is for permission to (1) permit open storage within a front, exterior side yard, and/or interior side yard; and (2) permit non-visitor parking spaces within a front or exterior side yard.

The requested variance is required to permit the temporary storage of vehicles while they await servicing/alterations within a parking lot located on the subject property.

The subject property is located at 1655 Tricont Avenue and is zoned Restricted Industrial (M1) within the Town of Whitby Zoning By-law 1784.

In Support of Application None at this time

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.

J. Malfara advised the Committee that the applicant was not in attendance, but could answer any planning related questions that the Committee may have.

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

B. O'Carroll asked if the proposed parking spaces will be utilized by a car manufacture to temporarily store vehicles awaiting modifications.

J. Malfara replied yes. He advised the Committee that the enclosed parking lot will be used to temporarily store vehicles (trucks) while they await retrofitting services to take place within the building.

J. Cardwell asked if the vehicles occupying this parking area will be pick-up trucks.

J. Malfara replied yes to the best of his knowledge.

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 public 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) permit open storage within a front, exterior side yard, and/or interior side yard; and (2) permit non-visitor parking spaces within a front or exterior side yard located at 1655 Tricont Avenue be **Granted** subject to the following condition:

1. All conditions and comments included within the minor amendment to SP-34-00 (Site Plan Agreement No. SP768) shall be fulfilled.

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.

D. Kennedy replied no.

D. McCarroll asked if a curb cut permit is required.

D. Kennedy replied no.

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 public 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: B. O'Carroll

That the application to reduce the minimum required lot frontage for a single detached dwelling containing an accessory apartment from 10.5m to 9.75m located at 65 Robinson Crescent be **Granted**.

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/72/21

Abacus Equity Infusion Limited

North East Corner of Columbus Road East and Baldwin Street North

An application has been received from Abacus Equity Infusion Limited, for variances from the provisions of the Town of Whitby Zoning By-law 1784.

The application is for permission to (1) permit two residential sales offices on lands that are not Draft Plan approved, and (2) permit a total of two residential sales offices on the subject lands, whereas the By-law permits one sales office.

The requested variances are required to permit the construction of two residential sales offices located at the north east corner of Baldwin Street North and Columbus Road East.

The subject property is located at the north east corner of Columbus Road East and Baldwin Street North and is zoned Agricultural (A) within the Town of Whitby Zoning By-law 1784.

In Support of Application

None at this time

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.

J. Malfara advised the Committee that the applicant was not in attendance, but could answer any planning related questions that the Committee may have.

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

J. Cardwell asked if there would be a time limit associated with the proposed sales offices located on the property.

J. Malfara replied no. He advised the Committee that the sales offices will be located on a future development block, and development would eventually occur on these lands.

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 public 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: D. McCarroll

That the application to (1) permit two residential sales offices on lands that are not Draft Plan approved, and (2) permit a total of two residential sales offices on the subject lands, whereas the By-law permits one sales office located at the north east corner of Columbus Road East and Baldwin Street North be **Granted** subject to the following conditions:

1. The applicant shall satisfy any financial requirements of the Central Lake Ontario Conservation Authority; and
2. All Public Works requirements related to Site Plan application SP-08-21 shall be adhered to.

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: S. Haslam

That the minutes of the Committee of Adjustment held on Thursday July 8, 2021 be adopted.

Carried

Item 4: Other Business

J. Malfara advised the Committee that the tabled applications related to 56 Meadow Crescent (A/64/21) & (A/35/21) will be brought back before the Committee at the August 19, 2021 meeting.

Item 5: Adjournment

Moved by: B. O'Carroll

That this meeting of the Committee of Adjustment be adjourned.

Carried

[Original Approved]

Secretary Treasurer

[Original Approved]

Chair