



# Minutes of the 7th Meeting

## Committee of Adjustment

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**Meeting Date:** Thursday May 25, 2023

**Meeting Time:** 7:00 p.m.

**Meeting Location:** Virtual Meeting

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### **Present:**

N. Chornobay, Chair

J. Cardwell

S. Haslam

J. Rinella

K. Docherty

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/22/23**

**Ana Paulina dosSantos  
55 Torian Avenue**

An application has been received from Ana Pauline dosSantos, for a variance from the provisions of By-law 1784.

The application is for permission to reduce the minimum exterior side yard setback to an accessory structure from 4.5m to 1.2m.

The requested variance is required to permit the construction of a detached garage within the exterior side yard of the subject property.

In Support of Application

A. DosSantos

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.

A. DosSantos introduced herself to the Committee and noted that she is proposing a detached garage on their property. She noted that it will be used for storage, and a variance is required as the structure is too close to the abutting lot line.

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

S. Haslam asked if there will be any openings in the garage facing the interior lot line.

A. DosSantos replied no.

S. Haslam asked if the roof will have eaves.

A. DosSantos replied yes.

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

J. Malfara replied no.

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 reduce the minimum exterior side yard setback to an accessory structure from 4.5m to 1.2m located at 55 Torian Ave be **Granted** subject to the following conditions:

1. That the site grading and all other services conform to the requirements of the Engineering Services Department; and
2. Stormwater shall not be directed onto abutting lands.

**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.

**A/23/23**

**2159360 Ontario Inc  
800 Brock Street North**

An application has been received from 2159360 Ontario Inc, for variances from the provisions of By-law 2585.

The application is for permission to 1) reduce the minimum number of queing spaces from 25 to 18 and reduce the single line queing spaces at the place of ingress to the unit from 5 to 1; and 2) reduce the minimum front yard setback and landscape strip from 2.0m to 1.7m.

The requested variances are required to permit the conversion and expansion of the mechanical car wash to a tunnel car wash on the subject property.

In Support of Application                      Michael Fry

In Opposition of Application                  Linda Ames

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

M. Fry introduced himself to the Committee as the Planner representing the owner of the subject property. He provided a brief overview of the requested variances and carwash redevelopment/conversion proposal.

M. Fry noted that the variances requested meet the 4 tests as set out by the Planning Act.

M. Fry noted that a concern was raised by a neighbour regarding noise emitting from the site during the evenings. He further noted that the car wash use is existing and is currently permitted by the Zoning By-law.

M. Fry concluded that he read the Planning Staff report and agreed with the recommendations.

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 correspondence was received from L. Ames, and this correspondence was circulated to the Committee in advance of the meeting.

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

**Moved by: S. Haslam**

That the application to 1) reduce the minimum number of queing spaces from 25 to 18 and reduce the single line queing spaces at the place of ingress to the unit from 5 to 1; and 2) reduce the minimum front yard setback and landscape strip from 2.0m to 1.7m located at 800 Brock St N be **Granted** subject to the following condition:

1. A queing justification brief and auto-turn drawing is provided for approval to the Engineering Services Department.

**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.

**A/24/23**

**Katharina Kurz  
9620 Baldwin Street North**

An application has been received from Katharina Kurz for a variance from the provisions of By-Law 5581-05.

The application is for permission to: permit 4 self contained apartment dwelling units at the subject property, whereas 3 units are permitted.

The requested variance is required to permit the legalization of an additional apartment dwelling unit within the existing residential building on the subject property.

In Support of Application                      No one in attendance.

In Opposition of Application                  No one in attendance.

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

The applicant was not in attendance.

The Chair advised the Committee that they can consider the application without the applicant, or table it to the next meeting.

The Committee agreed to proceed and not table the application.

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

J. Cardwell asked where the proposed apartment will be located.

J. Malfara noted that the proposed apartment unit will be situated in a building highlighted in the Planning Staff report.

J. Cardwell asked if there were any concerns from the Engineering Department.

J. Malfara stated that there were no concerns from the Engineering Department.

The Chair noted that before the apartment can be occupied, a Building Permit is required.

S. Haslam asked if the applicant has to be present for the Committee to consider the application.

J. Malfara replied no; however, if there were any interested parties in attendance at this meeting, the Committee has the ability to table the application until such time that the applicant or their agent is available to answer and questions that may be raised by interested parties or the Committee.

J. Rinella asked J. Malfara what the long term vision is for the area surrounding the subject property.

J. Malfara noted that the area will generally remain intact, and new development will be concentrated further south, which includes the Brooklin Community Secondary Plan area.

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

J. Malfara replied no.

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

**Moved by: K. Docherty**

That the application to permit 4 self contained apartment dwelling units at the subject property, whereas 3 units are permitted located at 9620 Baldwin St N 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.

**A/26/23**

**Jason Rick  
21 Lofthouse Drive**

An application has been received from Jason Rick, for a variance from the provisions of By-law 1784.

The application is for permission to increase the maximum permitted lot coverage from 33% to 38%.

The requested variance is required to permit a covered porch and pool cabana within the rear yard of the subject property.

In Support of Application                      Jason Rick

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. Rick introduced himself to the Committee as the owner of the subject property and noted that he is proposing to construct a pool cabana within the rear yard of the property, as well as a small covered porch extending from the dwelling.

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

J. Cardwell asked if the cabana will be unenclosed.

J. Rick replied yes.

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

J. Malfara replied no.

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. Rinella**

That the application to increase the maximum permitted lot coverage from 33% to 38% located at 21 Lofthouse Dr be **Granted** subject to the following conditions:

1. The site grading and services shall conform to the requirements of the Engineering Services Division; and
2. Roof leaders from the proposed structures shall not spill onto 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 3: Approval of Previous Minutes**

**Moved by:** J. Cardwell

That the minutes of the Committee of Adjustment held on Thursday May 4, 2023 be adopted.

**Carried**

**Item 4: Other Business**

There were no items raised under other business.

**Item 5: Adjournment**

**Moved by:** J. Rinella

That this meeting of the Committee of Adjustment be adjourned.

**Carried**

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Secretary Treasurer

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Chair