

# Minutes of the 14th Meeting

## Committee of Adjustment

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**Meeting Date:** Thursday October 21, 2021  
**Meeting Time:** 7:00 p.m.  
**Meeting Location:** Virtual Meeting (Zoom)

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### **Present:**

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

### **Item 1: Disclosure of Interest:**

J. Cardwell declared a conflict of interest with regards to application A/85/21.

**Carried**



J. Bennett replied one vehicle.

S. Haslam asked if there are contactors currently working at the property.

J. Bennett replied yes, but they are painters.

The Chair asked if a permit has been applied for already for the accessory apartment.

J. Bennett replied yes.

B. O'Carroll asked if there was a reason the basement entrance was placed in the side yard and not rear yard.

J. Bennett replied that the location in the side yard was the most feasible location.

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 of objection were received and they were forwarded 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:** J. Cardwell

That the application to (1) reduce the minimum required lot frontage for a semi-detached dwelling with an accessory apartment from 10.0m to 9.1m; (2) reduce the minimum required front yard landscaped open space from 40% to 39% (as amended); and (3) reduce the minimum required interior side yard setback for a below grade stairway adjacent to a main building wall from 0.25m to 0.13m located at 17 Hoodgate Drive 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; and
2. Drainage shall not be directed onto adjacent properties.

**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.

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That the application to (1) permit an accessory structure within a front yard; and (2) increase the maximum height of an accessory structure from 4.5m to 5.3m located at 9240 Baldwin Street North be **Granted** subject to the following condition:

1. That the site grading and all other services conform to the requirements of the Public Works 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.

## Item 2: Public Hearings

**A/85/21**

**Tanya West on Behalf of Zico McClean**  
**56 Canadian Oaks Drive**

An application has been received from Tanya West on Behalf of Zico McClean, for a variance from the provisions of By-law 1784.

The application is for permission to reduce the minimum required interior side yard setback to a second storey from 1.8m to 1.2m.

The requested variance is required to permit a second storey building addition above, and in-line with the existing one-storey garage.

In Support of Application T. West

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.

T. West introduced herself to the Committee as the owner of the property and expressed that she is proposing a second storey building addition directly above the existing one storey garage. She advised the Committee that the proposed addition will be approximately 400 sq.ft in area.

The Chair noted that the proposed addition will flank the garage of the neighbouring property to the east.

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 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: B. O'Carroll**

That the application to reduce the minimum required interior side yard setback to a second story from 1.8m to 1.2m located at 56 Canadian Oaks Drive be **Granted** subject to the following condition:

1. That the site grading and all other services conform to the requirements of the Public Works Department.

**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.





J. Cardwell asked staff if there have been similar proposals in the neighbourhood.

J. Malfara replied yes. He noted that there have been many new dwellings constructed along Queen Street, and the Committee in the past has approved variances for lot coverages around 30% and building heights around 9.0m.

B. O'Carroll noted that although an increase to lot coverage is proposed, the proposed dwelling will meet all minimum yard setbacks.

The Chair stated that the Committee is here to consider the variances that have been applied for and not the design of the dwelling.

The Chair asked if there was anyone else in attendance who wished to speak to the application.

S. Wagg introduced himself as the owner of 149 Baldwin Street North. He advised the Committee that his property abuts the applicant's property and would like to see the two existing walnut trees located along the shared property line preserved.

The Chair asked the applicant if consideration has been given to the preservation of the noted walnut trees.

Y. Somalingam advised the Committee that an Arborist has been retained, and their intention is not to adversely affect the noted trees.

Y. Somalingam also noted that there is some buffer room in the interior side yards, so if needed the dwelling can be shifted toward the south lot line to help increase the setback to the walnut trees.

**Moved by:** J. Cardwell

That the application to reduce to minimum required lot area from 835.0 sq.m to 782.0 sq.m; and (2) increase the maximum permitted lot coverage from 20% to 27.5 located at 118 Queen Street 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; and
2. Roof leaders shall not spill onto neighbouring properties.

**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.



That the application to reduce the minimum required rear yard setback of a deck projection from the main floor of a dwelling into the rear yard from 6.0m to 4.1m; and (2) increase the maximum permitted rear yard encroachment of a deck/stairs from the main floor of a dwelling from 3.2m to 3.4m located at 48 Long Drive be **Granted** subject to the following condition:

1. That the site grading and all other services conform to the requirements of the Public Works 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.

**Item 3: Approval of Previous Minutes**

**Moved by:** B. O'Carroll

That the minutes of the Committee of Adjustment held on Thursday September 30, 2021 be adopted.

**Carried**

**Item 4: Other Business**

The Chair noted that the meeting packages are no longer being dropped off at the door, and are now being directed to a postal facility for pick-up.

J. Malfara advised the Chair that he will inquire with the courier service if there is a way to have packages dropped off without the need for a recipient to be home.

**Item 5: Adjournment**

**Moved by:** S. Haslam

That this meeting of the Committee of Adjustment be adjourned.

**Carried**

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Secretary Treasurer

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Chair