



Minutes of the 10th Meeting of the Committee of Adjustment

Meeting Date: Thursday July 26, 2018
Meeting Time: 7:00 p.m.
Meeting Location: Whitby Municipal Building
575 Rossland Road East, Committee Room 1

Present:

N. Chornobay, Chair
S. Haslam
B. O'Carroll
D. McCarroll
J. Malfara, Secretary-Treasurer
A. Hardy, Planning Student

Item 1: Disclosure of Interest:

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

Carried

Moved by: B. O'Carroll

That the application to reduce the minimum required lot frontage from 15.0m to 13.7m located at 202 Starr Avenue (Part 1 – severed parcel) 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 had an effect on the Committee's decision.

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/47/18

Baycliffe Communities 23 Holman Court

An application has been received from Baycliffe Communities for variances from the provisions of Zoning By-Law 1784.

The application is for permission to:

1. reduce the minimum required private garage setback to a street line from 5.8m to 5.5m; and
2. reduce the minimum required lot depth from 30.0m to 16.0m.

The subject property is located at 23 Holman Court and is zoned Residential (R2C*) in the Town of Whitby Zoning By-law 1784.

In Support of Application	Bryce Jordan (Applicant) Ihab Antabli (Owner)
---------------------------	--

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.

B. Jordan introduced himself to the Committee as the Planner retained by the owner of the subject lands (Baycliffe Communities). He expressed that the variances are minor in nature and meet the intent of the Zoning By-law.

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

B. O'Carroll stated that she has no concerns with the proposed variances.

B. O'Carroll asked the applicant who owns the vacant lands to the east of the subject property.

The Chair advised that such lands are part of the public road allowance owned by the Town of Whitby.

D. McCarroll asked the applicant if the Land Division application to create the subject property is approved.

B. Jordan replied that the Land Division application is approved conditional upon the approval of the requested variances.

S. Haslam asked the applicant to provide the length of the driveway from the property line to the garage.

B. Jordan replied that the driveway length is 5.5m and an additional 5.5m is provided between the property line and the edge of the street curb.

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: S. Haslam

That the application to (1) reduce the minimum required private garage setback to a street line from 5.8m to 5.5m; and (2) reduce the minimum required lot depth from 30.0m to 16.0m located at 23 Holman 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; and
2. roof drainage from the proposed structure shall not be directed onto the adjacent 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/49/18

**Baycliffe Communities
535 Taunton Road West**

An application has been received from Baycliffe Communities for a variance from the provisions of By-Law 1784.

The application is for permission to 1784 to reduce the minimum required rear yard setback from 15.0m to 5.0m.

The subject property is located at 535 Taunton Road West and is zoned Residential (R3B*) within the Town of Whitby Zoning By-law 1784.

In Support of Application	Bryce Jordan (Applicant) Ihab Antabli (Owner)
---------------------------	--

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.

B. Jordan introduced himself to the Committee as the Planner retained by the owner of the subject lands (Baycliffe Communities). The variance is required due to an abutting sight triangle that was requested by the Region of Durham which reduced the rear yard area of the subject property.

B. Jordan expressed that the minimum required rear yard setback is 15.0m opposed to 7.5m as the property abuts a major roadway. Although the requested rear yard setback is for 5.0m, the proposed dwelling will maintain a minimum setback of 15.0m to the paved portion of the abutting road (Taunton Road E).

B. Jordan further expressed that the proposed dwelling will have a generous rear yard amenity area and that the variance is minor in nature and meets the intent of the Zoning By-law.

The Chair asked if there were any questions of 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 rear yard setback from 15.0m to 5.0m located at 535 Taunton Road West 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. that roof drainage from the proposed structure shall not be directed onto the adjacent property; and
3. that the applicant enter into a Subdivision Agreement for the proposed development, satisfactory to the requirements of the Planning and Development 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.

Item 2: Public Hearings

A/50/18

Stafford Homes Ltd. 401 Reynolds Street

An application has been received from Stafford Homes Ltd. for a variance from the provisions of Zoning By-Law 2585.

The application is for permission to reduce the minimum required interior side yard setback (north) from 12.0m to 11.7m.

The subject property is located at 401 Reynolds Street and is zoned Institutional 2 Downtown Zone (I2-DT) within the Town of Whitby Zoning By-law 2585.

In Support of Application

Guy D'Onofrio (Applicant)
Melissa McKay (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.

G. D'Onofrio introduced himself to the Committee as a representative from Stafford Homes; the home builder of the recently severed lands to the north of the Trafalgar Castle School.

G. D'Onofrio expressed that the requested variance is required as a result of the proposed extension of Dunlop Street to Garden Street. The existing gymnasium on the Trafalgar Castle School lands will have a setback of 11.7m to the proposed street extension, whereas a 12.m setback is required.

G. D'Onofrio stated that in his opinion the requested variance is minor in nature.

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

The Chair asked the Applicant if the severance of the Trafalgar Castle School lands was final.

G. D'Onofrio replied that the severance was approved at the Ontario Municipal Board with conditions.

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: D. McCarroll

That the application to reduce the minimum required interior side yard setback (north) from 12.0m to 11.7m located at 401 Reynolds 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 drainage from the existing structure shall not be directed onto the adjacent 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 3: Approval of Previous Minutes

Moved by: D. McCarroll

That the minutes of the Committee of Adjustment held on Thursday July 05, 2018 be adopted.

Carried

Item 4: Other Business

There were no items raised under other business

Item 5: Adjournment

Moved by: B. O'Carroll

That this meeting of the Committee of Adjustment be adjourned.

Carried

[Original approved and signed]

Secretary Treasurer

[Original approved and signed]

Chair