



Minutes of the 2nd Meeting of the Committee of Adjustment

Meeting Date: Thursday February 07, 2019
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
J. Taylor, Manager of Planning Administration

Item 1: Disclosure of Interest:

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

Carried

Item 2: Elections, Committee of Adjustment Chair and Vice-Chair 2019:

J. Malfara opened the floor to nominations for the position of Chair of the Whitby Committee of Adjustment for 2019.

N. Chornobay nominated S. Haslam for the position of Chair.

S. Haslam accepted the nomination.

J. Malfara opened the floor for further nominations. No other nominations were received.

Moved by: N. Chornobay that S. Haslam be acclaimed the position of Chair for 2019.

Carried

S. Haslam opened the floor to nominations for Vice-Chair.

N. Chornobay nominated J. Cardwell for the position of Vice-Chair.

J. Cardwell accepted the nomination.

S. Haslam opened the floor for further nominations. No other nominations were received.

Moved by: N. Chornobay that J. Cardwell be acclaimed the position of Vice-Chair for 2019.

Carried

Item 3: Public Hearings

A/09/19

Brent Smith of RN Design on behalf of TFP Whitby Developments Inc.
8 Yvette Street

An application has been received from Brent Smith of RN Design on behalf of TFP Whitby Developments Inc. for a variance from the provisions of By-Law 1784.

The application is for permission to reduce the minimum required rear yard setback from 7.5m to 6.9m.

The requested variance is required to permit the development of a new single detached dwelling.

The subject property is located at 8 Yvette Street and is zoned Low Density Residential (LD) in Zoning By-law 1784.

In Support of Application Brent Smith (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.

B. Smith introduced himself to the Committee as the architect retained by TFP Whitby Developments Inc. and Opus Homes. He advised the Committee that a variance to reduce the required rear yard setback is required. B. Smith noted that at the time the Draft Plan was approved, the home model proposed for the subject lot conformed to the Zoning By-law requirements. However, through the detailed engineering design stage the frontage road required a shift which resulted in a reduction to the lot depth, and therefore resulting in a deficient rear yard setback.

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

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

J. Malfara replied 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: N. Chornobay

That the application to reduce the minimum required rear yard setback from 7.5m to 6.9m located at 8 Yvette Street 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.

Item 3: Public Hearings

A/10/19

**Brent Smith of RN Design on behalf of TFP Whitby Developments Inc.
6 Yvette Street**

An application has been received from Brent Smith of RN Design on behalf of TFP Whitby Developments Inc. for a variance from the provisions of By-Law 1784.

The application is for permission to reduce the minimum required rear yard setback from 7.5m to 6.9m.

The requested variance is required to permit the development of a new single detached dwelling.

The subject property is located at 6 Yvette Street and is zoned Low Density Residential (LD) in Zoning By-law 1784.

In Support of Application	Brent Smith (Applicant)
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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.

B. Smith introduced himself to the Committee as the architect retained by TFP Whitby Developments Inc. and Opus Homes. He advised the Committee that a variance to reduce the required rear yard setback is required. B. Smith noted that at the time the Draft Plan was approved, the home model proposed for the subject lot conformed to the Zoning By-law requirements. However, through the detailed engineering design stage the frontage road required a shift which resulted in a reduction to the lot depth, and therefore resulting in a deficient rear yard setback.

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

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

J. Malfara replied 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 reduce the minimum required rear yard setback from 7.5m to 6.9m located at 6 Yvette Street 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.

Item 3: Public Hearings

A/11/19

**James de Jong on behalf of Carolyn Brown
23 Wells Crescent**

An application has been received from James de Jong on behalf of Carolyn Brown for variances from the provisions of By-Law 1784.

The application is for permission to: (1) reduce the minimum required rear yard setback to a one storey sunroom from 7.5m to 6.3m; (2) reduce the minimum required rear yard setback for a deck projecting from the first storey of a dwelling from 6.0m to 4.8m; and (3) increase the maximum permitted lot coverage from 40% to 42%.

The requested variances are required to permit a building addition (sun room) and deck in the rear yard of the subject property.

The subject property is located at 23 Wells Crescent and is zoned Residential (R2B*) in Zoning By-law 1784.

In Support of Application

James de Jong (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.

J. de Jong introduced himself to the Committee as the representative of the owner of the subject property. He advised the Committee that three variances are required to permit the construction of a proposed three season sun room and a new deck within the rear yard of the property.

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

N. Chornobay asked the applicant why the proposed sun room and deck can not comply with the existing provisions of the Zoning By-law.

J. de Jong replied that without the requested variances the proposed sun room and deck would be very small.

The Chair asked the applicant if there is any noticeable grade difference to the abutting property to the rear?

J. de Jong replied no.

N. Chornobay asked the applicant if the proposed sun room will be constructed on a foundation.

J. de Jong replied no. The sun room and deck will be constructed on piles.

The Chair asked the applicant if the sun room and deck will be looking down on the abutting property to the rear?

J. de Jong replied no.

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

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

J. Malfara replied 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 (1) reduce the minimum required rear yard setback to a one storey sunroom from 7.5m to 6.3m; (2) reduce the minimum required rear yard setback for a deck projecting from the first storey of a dwelling from 6.0m to 4.8m; and (3) increase the maximum permitted lot coverage from 40% to 42% located at 23 Wells Crescent 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 January 17, 2019 be adopted.

Carried

Item 4: Other Business

S. Haslam asked how the Committee can obtain updated identification cards.

J. Malfara advised the Committee that he will inquire about this matter.

Item 5: Adjournment

Moved by: N. Chornobay

That this meeting of the Committee of Adjustment be adjourned.

Carried

[Original approved and signed]

Secretary Treasurer

[Original approved and signed]

Chair