



# Minutes of the 7th Meeting

## Committee of Adjustment

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**Meeting Date:** Thursday May 26, 2022

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

**Meeting Location:** Virtual (Zoom)

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### **Present:**

S. Haslam, Chair

N. Chornobay

J. Cardwell

B. O'Carroll

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/25/22**

**Craig Gage  
51 Candlebrook Drive**

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

The application is for permission to reduce the minimum exterior side yard setback/setback to a street line from an accessory structure from 4.5m to 0.6m.

The subject property is located at 51 Candlebrook Drive and is zoned Residential (R4B\*) within By-law 1784.

The requested variance is required to permit the construction of an accessory structure within the rear yard of the subject property.

In Support of Application                      C. Gage (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.

C. Gage introduced himself to the Committee as the applicant and provided an overview of the application. He noted that the proposed garage will be used to store their motorcycles during the winter months.

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

N. Chornobay asked how access to the structure will be accommodated.

C. Gage noted that access will be provided from a gate in the existing fence in the side yard.

N. Chornobay asked if they will access the structure by crossing the boulevard in the side yard.

C. Gage replied yes.

N. Chornobay asked staff if this is permitted.

J. Malfara replied yes, as long as a second driveway is not operating as a driveway.

C. Gage noted that accessing the structure from the side yard will only be done on a seasonal basis when he removes his motorcycle from the structure in the spring and when he stores the motorcycle for the winter in the fall.

B. O'Carroll asked if during the warmer months, the motorcycle will be stored in the primary garage and on the driveway.

C. Gage replied yes.

B. O'Carroll asked if the existing shed will be removed and what cladding the new structure will be comprised of.

C. Gage noted that the existing shed will be removed and the new structure is a pre-fabricated metal building.

J. Cardwell asked if the trellis located overtop of the applicant's deck will remain open and not enclosed.

C. Gage replied yes.

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:** J. Cardwell

That the application to reduce the minimum exterior side yard setback/setback to a street line for an accessory structure from 4.5m to 0.6m located at 51 Candlebrook Drive be **Granted** subject to the following conditions:

1. The site grading shall conform to the requirements of the Engineering Services Department; and
2. 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.

## Minutes of the 7th Meeting of Committee of Adjustment

That the application to 1) increase the maximum permitted lot coverage from 20% to 24%; and 2) reduce the minimum required front yard setback from 9.0m o 6.0m located at 29 Garside Avenue be **Granted** subject to the following conditions:

1. The site grading shall conform to the requirements of the Engineering Services Department; and
2. 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 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/27/22***

**Simon Faulkner of DP Realty Advisors**  
**18 Hillcourt Avenue**

An application has been received from Simon Faulkner of DP Realty Advisors, for a variance from the provisions of By-law 1784.

The application is for permission to increase the maximum permitted lot coverage from 20% to 28%.

The subject property is located at 18 Hillcourt Avenue and is zoned Second Density Residential (R2) within By-law 1784.

The requested variance is required to permit the construction of a new dwelling on the subject property.

## In Support of Application

D. Pearce (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.

D. Pearce introduced himself to the Committee and provided an overview of the requested variance to increase the maximum permitted lot coverage. He noted that the severed property to the west was subject to a similar minor variance application which was approved in early May by the Committee.

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 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:** N. Chornobay

That the application to increase the maximum permitted lot coverage from 20% to 28% located at 18 Hillcourt Avenue be **Granted** subject to the following conditions:

1. The site grading shall conform to the requirements of the Engineering Services Department; and

2. 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/28/22***

**Paul Demczak of Batory Management**  
**600 Garden Street**

An application has been received from Paul Demczak of Batory Management, for a variance from the provisions of By-law 2585.

The application is for permission to permit a Professional Office as an additional permitted use on the subject property.

The subject property is located at 600 Garden Street and is zoned Preferred Industrial (M1) within By-law 2585.

The requested variance is required to permit the additional use of a professional office (not associated with an industrial use) on the subject property.

In Support of Application P. Demczak (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.

P. Demczak introduced himself to the Committee and provided an overview of the requested variance, existing site use, and proposed professional office use for the subject property.

P. Demczak noted that the proposed office use would be occupied by a software and asset management solutions company, which will include approximately 30 employees. He also noted that the tenant is proposing to improve the existing parking lot, fencing, and existing buildings on the property.

P. Demczak concluded that he read the Planning Commissioner's Report and agreed with staff's conclusions.

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

N. Chornobay asked if the existing caretakers dwelling will remain on the property.

P. Demczak replied yes.

B. O'Carroll asked if the existing vegetation along the south and west boundary will be preserved.



P. Demczak noted that garbage and debris is located within the rear yard. His client is proposing to clean up the property, add additional green/open space, and construct a new privacy fence along the south and west boundary.

J. Cardwell asked if a building permit will be required for proposed building alterations.

P. Demczak replied yes. He noted that the proposed works will occur within the existing buildings, and no new structure are proposed.

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:** J. Cardwell

That the application to permit a Professional Office as an additional permitted use located at 600 Garden Street 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 3: Approval of Previous Minutes**

**Moved by:** N. Chornobay

That the minutes of the Committee of Adjustment held on Thursday May 5, 2022 be adopted.

**Carried**

**Item 4: Other Business**

There were no items raised under other business.

**Item 5: Adjournment**

**Moved by:** J. Cardwell

That this meeting of the Committee of Adjustment be adjourned.

**Carried**

[Original approved]

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Secretary Treasurer

[Original approved]

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Chair