

Meeting Date: Thursday January 17, 2019

Meeting Time: 7:00 p.m.

Meeting Location: Whitby Municipal Building

575 Rossland Road East, Committee Room 1

### **Present:**

- N. Chornobay, Chair
- S. Haslam
- 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

#### A/01/19

# MC Architects on behalf of the Durham District School Board 51 Lazio Street

An application has been received from MC Architects on behalf of the Durham District School Board for a variance from the provisions of the Town of Whitby Zoning By-Law 1784.

The application is for permission to reduce the minimum required exterior side yard setback (Samandria Drive) from 10.0m to 6.0m.

The requested variance is required to permit the development of a new public school on the subject property.

The subject property is located at 51 Lazio Street and is zoned Institutional (I\*) and Residential (R2B\*) within the Town of Whitby Zoning By-law 1784.

In Support of Application Michael Clesle (applicant)

In Opposition of Application Srinivas Ramayanam

Karen Yorke Leanne Yorke

Also in Attendance Ray Drinkwalter

Althea Mattar Monica Barbur

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

- M. Clesle introduced himself to the Committee as the Architect retained by the Durham District School Board. He provided a description of the proposed 2 storey elementary school development, and advised the Committee that an exterior side yard setback variance is required.
- M. Clesle stated that in order to accommodate the minimum number of required parking spaces proposed at the south portion of the site, the school had to be shifted closer to Samandria Avenue.
- M. Clesle provided the Committee with a plan illustrating the setback from the proposed school to the nearest residential dwellings on the north side of Samandria Avenue. He stated that the distance between the proposed school and the nearest dwelling will be approximately 29.5m.

- S. Haslam asked the applicant if the school can be shifted south to respect the minimum required 10.0m exterior side yard setback.
- M. Clesle replied that due to the site constraints the 10.0m exterior side yard setback can not be achieved.
- J. Cardwell asked what the setback is from the proposed school to the houses on the north side of Samandria Avenue.
- M. Clesle replied that the setback is approximately 29.5m.
- J. Cardwell asked what the setback will be to the houses east of 6 Samandria Avenue.
- M. Clesle was unsure, but stated that the setback would be greater than 29.5m.

The Chair asked the applicant if he had any building elevations available for the Committee to view.

M. Clesle provided the Committee with a copy of the proposed building elevations.

The Chair asked the applicant what material the exterior of the school will be.

M. Clesle replied that the school will have a brick cladding.

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

J. Malfara replied that written correspondence was received from the residents of 2 Samandria Avenue and 4 Samandria Avenue in opposition to the variances.

The Chair asked if there was anyone from the public who wished to speak to the subject application.

- R. Drinkwalter introduced himself to the Committee as the owner of 144 Toscana Drive. He noted that his property backs onto the school block and wanted to know what is proposed along the rear of his property.
- M. Clesle advised that there is currently a Provincially Significant Wetland located in proximity to the resident's property, within the school block lands. This area will include additional landscape planting as well a proposed outdoor education area.

The Chair asked if there was anyone else from the public who wished to speak to the subject application.

A. Mattar introduced herself to the Committee as the owner of 24 Samandria Avenue. She expressed concern with existing traffic conditions on Anderson Street, and how it is difficult to exit the subdivision during the morning and evening. She wanted to know how the school may impact the existing traffic conditions and if the Town of Whitby has any plans to install traffic lights on Anderson Street and Fawsett Avenue or Anderson Street and Solmar Avenue.

The Chair asked if there was anyone else from the public who wished to speak to the subject application.

- M. Barbur introduced herself to the Committee as the owner of 47 Solmar Avenue. She expressed her concerns with potential traffic caused by the school. She also asked the Committee if construction will be limited to certain times of day.
- S. Haslam replied that the applicant will have to comply with the Town of Whitby Noise By-law during the construction process.

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

- J. Cardwell asked if a traffic study was prepared.
- M. Clesle replied no.

The Chair asked if there was any information with regards to the number of busses that will service school.

- M. Clesle replied that five busses are anticipated to service the school.
- R. Drinkwalter asked where the pupil draw area will be from.
- M. Clesle replied that the draw area has not been defined at this time.

The Chair stated that the draw area can vary from year to year based on pupil demand.

J. Taylor also noted with respect to traffic lights on Anderson Street, he is not aware of any current proposals at this time. If desired, members of the public can submit a request to the Town of Whitby Public Works Department to assess if traffic lights are warranted.

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

That the application to reduce the minimum required exterior side yard setback (Samandria Drive) from 10.0m to 6.0m located at 51 Lazio Street be **Granted** subject to the following condition:

1. That all Public Works requirements related to Site Plan application SP-37-18 are complied with.

#### 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.

#### A/02/19

# Antonio Visca Architect on behalf of Dr. Constance and Rowland Odiase 107 Kent Street

An application has been received from Antonio Visca Architect on behalf of Dr. Constance and Rowland Odiase for a variance from the provisions of the Town of Whitby Zoning By-Law 2585.

The application is for permission to permit development in an H - Holding Zone.

The requested variance is required to permit the expansion of the existing building on the subject property. The expansion to the building is required to provide additional commercial floor space on the first storey as well as one residential apartment dwelling unit located on the second storey.

The subject property is located at 107 Kent Street and is zoned Central Commercial 3 – Downtown Zone subject to a Holding provision (H-C3-DT) within the Town of Whitby Zoning By-law 2585.

In Support of Application Tony Visca (applicant)

Constance Odiase Rowland Odiase Rob Moore Ede

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. Visca introduced himself to the Committee as the Architect retained by the owners of the subject property. He provided an overview of the proposed development and advised the Committee that to permit the enlargement of the existing structure a variance is required as the property is subject to a Holding provision.
- T. Visca stated that the owners are proposing a office space on the main floor of the building, and an apartment unit on the second storey.

- S. Haslam asked the applicant if the second storey apartment will be utilized by the owner, or if it will be a rental unit.
- T. Visca replied that the apartment will be rental.
- B. O'Carroll asked the applicant if the existing hedge located between the subject property and the property to the north will be maintained.

T. Visca replied that the hedge will be trimmed to preserve safe sight lines in the front yard.

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.

R. Moore Ede introduced himself to the Committee as the owner of the neighbouring property to the north (107 Kent Street). He expressed his support for the application. He asked that the applicants construct a privacy fence between the two properties and that the existing tree located at the rear of the property, nearest to their common property line (north) be preserved if possible.

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 permit development in an H - Holding Zone located at 107 Kent Street be **Granted** subject to the following condition:

1. That all Public Works requirements related to Site Plan application SP-41-18 are complied with.

#### 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.

#### A/03/19

# Top Floor Design on behalf of James and Marilyn Bainard 53 Torian Avenue

An application has been received from Top Floor Design on behalf of James and Marilyn Bainard for variances from the provisions of the Town of Whitby Zoning By-Law 1784.

The application is for permission to:

- 1. increase the maximum permitted lot coverage from 20% to 26%;
- 2. reduce the minimum required front yard setback from 9.0m to 6.1m; and
- 3. increase the maximum permitted encroachment of a covered porch and steps into a required front yard from 1.5m to 2.1m.

The subject property is located at 53 Torian Avenue and is zoned Residential 3 (R3-BP) within the Town of Whitby Zoning By-law 1784.

In Support of Application Bobbi Ann Brooks (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. Brooks introduced herself to the Committee as the designer retained by the owners of the subject property. She expressed that the existing dwelling was constructed in 1959, and a variance to increase the lot coverage, a variance to reduce the front yard setback, and a variance to increase the maximum encroachment of a front yard porch is required to facilitate a building addition and front façade redesign.

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

- S. Haslam asked the applicant if she read the Staff Report and agreed with the condition from the Public Works Department.
- B. Brooks 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 (1) increase the maximum permitted lot coverage from 20% to 26%; (2) reduce the minimum required front yard setback from 9.0m to 6.1m; and (3) increase the maximum permitted encroachment of a covered porch and steps into a required front yard from 1.5m to 2.1m located at 53 Torian Avenue be **Granted** subject to the following conditions:

- 1. The site grading and all services shall 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.
- 3. That the applicant provide the Public Works Department for their review and approval an acceptable Grading Plan and Stormwater Management Brief, demonstrating the feasibility of the proposal prior to the issuance of a building permit. The Brief shall calculate the additional flows from increased lot coverage and how the additional flows will be dealt with.

#### 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.

### A/04/19

## Town of Whitby 695 Rossland Road West

An application has been received from the Town of Whitby for a variance from the provisions of the Town of Whitby Zoning By-Law 1784.

The application is for permission to reduce the minimum required interior side yard setback to a detached washroom facility from 7.5m to 2.0m.

The requested variance is required to permit a detached washroom facility on the subject property, which will replace a temporary portable washroom currently existing in its place.

The subject property is located at 695 Rossland Road West and is zoned Open Space (OS) and Greenbelt (G) within the Town of Whitby Zoning By-law 1784.

In Support of Application Wojtek Kowalewski (Town Representative)

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.

W. Kowalewski introduced himself to the Committee, and advised that a proposal is being made to permit a permanent detached washroom facility on the subject property. The new facility will replace an existing temporary portable washroom trailer.

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

- B. O'Carroll asked the applicant if there will be any access to the proposed washroom from the abutting school property.
- W. Kowalewski replied yes. The washroom will be accessible on all sides and a fence/enclosure is not proposed.
- B. O'Carroll expressed that she is concerned with possible trespassing or misuse of the proposed washroom.
- J. Taylor replied that when the soccer facility is not in use, access to the washrooms can be restricted.

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 detached washroom facility from 7.5m to 2.0m located at 695 Rossland Road West be **Granted** subject to the following conditions:

- 1. The site grading and all services shall conform to the requirements of the Public Works Department; and
- 2. Roof drainage from the proposed structure shall be directed into the private storm sewer system.

#### 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.

#### A/05/19

Minto (Rossland) Inc. 1542 Rossland Road East

An application has been received from Minto (Rossland) Inc. for variances from the provisions of the Town of Whitby Zoning By-Law 1784.

The application is for permission to:

- 1. apply the following provision to the subject lands: "where a corner lot or through corner lot which abuts a visibility triangle, the setback provisions, minimum front yard landscaped open space provisions, and lot frontage shall be measured and/or calculated as if the visibility triangle had not been conveyed, provided all buildings are set back a minimum of 0.3 metres from the visibility triangle with the exception that window sills, belt courses, steps, cornices, eaves, and eave troughs may project to within 0.0 metres of the lot line of the lot that forms one of the sides of the visibility triangle", and
- 2. reduce the minimum set back from an accessory structure (water meter room) to a public or private street line from 4.5m to 1.0m in accordance with the applicants Site Plan.

The requested variances are required to permit the applicants proposed residential development in accordance with Site Plan Application (SP-06-18).

The subject property is located at 1542 Rossland Road East and is zoned Residential Five Exception 11 (R5A\*-11) within the Town of Whitby Zoning By-law 1784.

In Support of Application Anderson Marques

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. Marques introduced himself to the Committee as a representative of Minto (Rossland) Inc. He stated that the original site specific zoning for the property did not account for the impact that the visibility triangles would have on a select number of corner lots. A variance is also requested to reduce the setback from a street line to a proposed accessory structure (water meter room).

A. Marques advised the Committee that variance number 2 can be amended as per the Staff Report to reduce the minimum set back from an accessory structure (water meter room) to a public or private street line from 4.5m to 1.5m.

The Chair asked the applicant if the proposed units are block townhouses.

- A. Marques replied yes. There will be a mixture of block townhouses and back to back townhouses.
- S. Haslam asked the applicant if the proposed townhouse dwelling located at the corner of Rossland Road East and Thickson Road North will be two storeys in height.
- A. Marques replied yes.
- S. Haslam asked the applicant what the setback will be to the visibility triangle.
- A. Marques replied 0.35m.
- S. Haslam asked the applicant if the visibility triangle will be impeded by the proposed townhouse dwelling.
- A. Marques replied that a clear sightline will be maintained at the corner of Rossland Road East and Thickson Road North.
- J. Cardwell asked the applicant if the proposed internal roadway will be private or public.
- A. Marques replied that the internal roadway will be private.

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 (1) to apply the following provision to the subject lands, "where a corner lot or through corner lot which abuts a visibility triangle, the setback provisions, minimum front yard landscaped open space provisions, and lot frontage shall be measured and/or calculated as if the visibility triangle had not been conveyed, provided all buildings are set back a minimum of 0.3 metres from the visibility triangle with the exception that window sills, belt courses, steps, cornices, eaves, and eave troughs may project to within 0.0 metres of the lot line of the lot that forms one of the sides of the visibility triangle", and (2) to reduce the minimum set back from an accessory structure (water meter room) to a public or private street line from 4.5m to 1.5m (as amended) in accordance with the applicants Site Plan located at 1542 Rossland Road East be **Granted**.

#### 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.

#### A/06/19

## Mike Pfeiffer 37 Torian Avenue

An application has been received from Mike Pfeiffer for variances from the provisions of the Town of Whitby Zoning By-Law 1784.

The application is for permission to:

- 1. increase the maximum permitted lot coverage from 20% to 30%; and
- 2. increase the maximum permitted building height from 8.5m to 9.0m.

The requested variances are required to permit the development of a new detached residential dwelling on the subject property. The existing dwelling is proposed to be removed.

The subject property is located at 37 Torian Avenue and is zoned Residential 3 (R3-BP) within the Town of Whitby Zoning By-law 1784. (R3-BP).

In Support of Application Mike Pfeiffer (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.

M. Pfeiffer introduced himself to the Committee as the applicant and owner of the subject property. He stated that the requested variances are required to permit the development of a new home with a larger footprint, as well as increased height which is required to support his desired building style.

- S. Haslam asked the applicant if he was satisfied with the condition provided in the Staff Report by the Public Works Department.
- M. Pfeiffer replied yes, but was questioning what increase of lot coverage would typically trigger the requirement of a stormwater management brief.
- S. Haslam stated that when a new building is proposed, the current Town engineering standards need to be complied with.
- J. Taylor stated that in the 1960's stormwater infrastructure in this neighbourhood was designed based on maximum lot coverages of 20%. When lot coverages exceed the 20% a stormwater management brief is typically required to demonstrate that there will be no impacts.

M. Pfeiffer asked if the Public Works condition can be amended to include verbiage which would allow alternatives to a formal stormwater management brief if deemed appropriate by the Public Works Department.

The Chair advised the applicant that the Committee can amend the condition if a motion is brought forward and carried.

- B. O'Carroll advised the applicant that the Building Division stated that a home based business is not permitted within the dwelling if an accessory apartment is proposed. She asked if a condition can be included to preclude a home based business within the dwelling if the applicant moves forward with his proposal for the basement apartment.
- J. Taylor replied that the Zoning By-law already regulates this matter.

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 (1) increase the maximum permitted lot coverage from 20% to 30%; and (2) increase the maximum permitted building height from 8.5m to 9.0m located at 37 Torian Avenue be **Granted** subject to the following condition (as amended):

1. That the applicant provide the Public Works Department for their review and approval an acceptable Grading Plan and Stormwater Management Brief, or acceptable solution demonstrating the feasibility of the proposal prior to the issuance of a building permit. The Brief shall calculate the additional flows from increased lot coverage and how the additional flows will be dealt with.

#### 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.

#### A/07/19

West Whitby Holdings Inc. 925 Rossland Road West

An application has been received from West Whitby Holdings Inc. for variances from the provisions of the Town of Whitby Zoning By-Law 1784.

The application is for permission to:

- 1. permit a temporary sales office on the subject property without an integrated residential use:
- 2. permit a temporary sales office in a Holding (H) Zone;
- 3. reduce the minimum required building height from 2 storeys to 1 storey; and
- permit a temporary sales office on a lot not within a draft approved or registered plan of subdivision or within a unit of a draft approved or registered condominium building.

The requested variances are required to permit a temporary sales office on the subject property.

The subject property is located at 925 Rossland Road West and is zoned Mixed Use One South, subject to a Holding provisions (H-MX1S) within the Town of Whitby Zoning By-law 1784.

In Support of Application Steve Edwards (Applicant)

Mark Greenbaum

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.

- S. Edwards introduced himself to the Committee as the Planner retained by the owner of the subject property. He advised that a temporary sales office is proposed and that as part of the Site Plan application submitted to the Town of Whitby, the requested variance were identified.
- S. Edwards noted that once the development is sold out, the sales office will be removed.
- S. Edwards advised the Committee that he read the Planning Staff Report and agreed with its conclusion.

- S. Haslam asked if Staff recommends that a condition be imposed with respect to the amount of time the sale office will be permitted on the property.
- J. Malfara replied that a time condition is not recommended in this situation.

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) permit a temporary sales office on the subject property without an integrated residential use; (2) permit a temporary sales office in a Holding (H) Zone; (3) reduce the minimum required building height from 2 storeys to 1 storey; and (4) permit a temporary sales office on a lot not within a draft approved or registered plan of subdivision or within a unit of a draft approved or registered condominium building located at 925 Rossland Road West be **Granted**.

#### 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.

### A/08/19

# ALO Industries Ltd. on behalf of Tom Oldman 137 Byron Street North (Unit 201)

An application has been received from ALO Industries Ltd. on behalf of Tom Oldman for a variance from the provisions of the Town of Whitby Zoning By-Law 2585.

The application is for permission to permit a "Recreational Club or Facility" as a permitted use on the subject property.

The requested variance is required to permit an "Escape Room" use within the existing commercial building located on the subject property.

The subject property is located at 137 Byron Street N (Unit 201) and is zoned Central Commercial 3 – Downtown Zone, subject to a Holding provision (H-C3-DT) within the Town of Whitby Zoning By-law 2585.

In Support of Application Oliver Dickstein (Applicant)

Also in Attendance Benito Suppa

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

O. Dickstein introduced himself to the Committee and advised that he is seeking a variance to permit an (existing) family escape room to exist within a commercial unit on the subject property.

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

- B. O'Carroll expressed concern that if the variance is approved it will apply to the entire property and not solely to the applicants unit. She also asked the applicant about his operating hours.
- O. Dickstein replied that his hours of operation are Saturday and Sunday.
- J. Taylor advised the Committee that a condition can be imposed by the Committee that the variance if approved shall apply only to the applicants unit.

- S. Haslam asked the applicant if the escape room use includes recreation equipment.
- O. Dickstein replied that the layout of the unit is open and is setup in a way that the users have to solve puzzles to escape a themed room that they are in.

- J. Cardwell asked the applicant how many children participate in the escape room at one time.
- O. Dickstein replied 8-12.
- J. Cardwell asked the applicant about sound impacts on neighbouring units.
- O. Dickstein replied that he has not received any noise complaints, and that a recording studio is located next door to his unit as well. He noted that he can not hear any noise emitting from the recording studio.
- B. O'Carroll asked what an escape room is.
- O. Dickstein replied that families will come to his business and participate in a themed escape style game (haunted house). Participants have to search for clues and solve puzzles to try and escape the haunted house and win the game.
- B. O'Carroll advised that applicant that she is not concerned with the use, but rather the potential for noise disturbances on other units.
- J. Cardwell asked the applicant if the Fire Department has inspected the unit.
- O. Dickstein replied yes.

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

- J. Malfara replied that a letter was received from the tenant of 135 Byron Street North. She expressed concerns with noise impacts as her unit is within proximity (below) to the applicants unit.
- O. Dickstein advised the Committee that he can speak with his staff about finding ways to reduce possible noise impacts.

The Chair confirmed that the zoning of the property currently permits a place of entertainment to exist on the site.

The Chair asked if there was anyone from the public who wished to speak to the subject application.

- B. Suppa introduced himself to the Committee as the owner of Whitby's first escape room. He is not concerned with business competition, but did express concerns with the age of the building and the how the applicant is to address fire safety measures.
- S. Haslam asked if the applicant has building occupancy.
- J. Taylor noted that a building permit is required by the applicant and both the Building Division and Fire Department will be involved in the process.

- B. Suppa asked about complying with accessibility standards since the use is located on the second floor with no elevator.
- S. Haslam asked the applicant if the units occupancy load has been posted in the building.
- O. Dickstein was unaware, but stated that a fire safety plan is currently being prepared.
- S. Haslam expressed that he is willing to make a motion to approve the variance with a condition that the variance shall only apply to the applicants unit.

## Moved by: S. Haslam

That the application to permit a "Recreational Club or Facility" as a permitted use on the subject property located at 137 Byron Street North be **Granted** subject to the following condition:

1. That the variance shall only apply to Unit 201 (upper unit) at 137 Byron Street North.

#### 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.

## **Item 3: Approval of Previous Minutes**

Moved by: J. Cardwell

That the minutes of the Committee of Adjustment held on Thursday December 27, 2018 be adopted.

**Carried** 

## Item 4: Other Business

- J. Taylor advised the Committee that a variance application with respect to the proposed Whitby Hospice is forthcoming. This meeting will be held in Council Chambers.
- J. Malfara provided the Committee members with their honorariums.

# 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		