

Minutes of the 14th Meeting

Committee of Adjustment

Meeting Date: Thursday October 21, 2021

Meeting Time: 7:00 p.m.

Meeting Location: Virtual Meeting (Zoom)

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

A/83/21

Jackie Bennett 17 Hoodgate Drive

An application has been received from Jackie Bennett, for variances from the provisions of By-law 1784.

The application is for permission 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 33.9%; 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.

The requested variances are require to permit an accessory apartment within the existing dwelling.

In Support of Application J. Bennett

In Opposition of Application D. Wazonek

R. Higgs

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

J. Bennett introduced herself to the Committee as the owner of the subject property. She advised the Committee that she is proposing an accessory apartment within the basement of the dwelling and three variances are required to permit the use. She also noted that the driveway will be widened to 5.5m and a below grade door to the basement is proposed in the interior side yard.

The Chair asked the applicant if she was aware of the recommendation by Planning Staff to amend variance number 2 to increase the requested front yard landscaped area coverage from 33.9% to 39%.

J. Bennett was unaware, but upon further review of the submitted drawings it was identified and agreed upon by the applicant that the front yard landscaped coverage could be revised to 39%.

The Chair asked how much the existing driveway will be widened by.

J. Malfara replied 0.43m.

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

J. Cardwell asked how many vehicles can be parked in the garage.

- 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 semidetached 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 ammended); 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.

A/84/21

Robert Cotton 9240 Baldwin Street North

An application has been received from Robert Cotton, for variances from the provisions of By-law 5581-05.

The application is for permission 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.

The requested variances are required to permit a detached garage (accessory structure) located within a portion of the front and south interior side yard of the property.

In Support of Application R. Cotton

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.

R. Cotton introduced himself to the Committee as the owner of the subject property and provided a brief description of the proposed detached garage that he is proposing to construct. He noted that the garage will be used to store an RV and lawn maintenance equipment and this is the reason for the requested height variance.

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

- S. Haslam asked if the garage will be used for personal use and not a commercial operation.
- R. Cotton 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) 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.

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.

A/86/21

Yaso Somalingam on Behalf of Jeyaranjini Subramaniam 118 Queen Street

An application has been received from Yaso Somalingam on Behalf of Jeyaranjini Subramaniam, for variances from the provisions of By-law 1784.

The application is for permission to reduce the minimum required lot area from 835.0 sq.m to 782.0 sq.m (to recognize the existing lot area); (2) increase the maximum permitted lot coverage from 20% to 27.5%; and (3) increase the maximum building height from 8.5m to 9.5m.

The requested variances are required to permit the construction of a new two storey detached dwelling on the subject property.

In Support of Application Y. Somalingam

In Opposition of Application P. Parr

S. Wagg

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

Y. Somalingam introduced himself to the Committee as a representative of the owner of the subject property. He advised the Committee that two variances are required to permit the construction of a new two storey dwelling. He noted that the variance related to building height could be withdrawn.

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 a letter of objection was received and was 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.

- P. Parr introduced herself as the owner of 94 Queen Street. She advised the Committee that this area of Town is characterized by larger lots and country style homes. She noted that many of these original homes are being demolished and replaced with large two storey homes.
- P. Parr stated that she would prefer to see a smaller size house constructed on the property, and that larger homes should be limited to assist in reducing the Town's carbon footprint.

- 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:

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

A/87/21

Ken Wilson 48 Long Drive

An application has been received from Dave Zajac on Behalf of Ken Wilson, for variances from the provisions of By-law 1784.

The application is for permission 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.

The requested variances are required to permit the construction of a deck located within the rear yard of the subject property.

In Support of Application K. Wilson

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.

K. Wilson introduced himself to the Committee as the owner of the subject property. He advised the Committee that he is proposing to construct a new deck within the rear yard of his property and in order to do so two variances are required. He noted that the proposed deck will not have any impact on the neighbouring residential properties as well as the conservation area to the west.

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

J. Cardwell asked if the lower level of the deck will remain open and unenclosed since the basement is a walkout.

K. Wilson 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: S. Haslam

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.

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 he 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

Secretary Treasurer

Chair