



Minutes of the 5th Meeting

Committee of Adjustment

Meeting Date: Thursday April 14, 2022

Meeting Time: 7:00 p.m.

Meeting Location: Virtual Meeting (Zoom)

Present:

S. Haslam, Chair

N. Chornobay

J. Cardwell

B. O'Carroll

D. McCarroll

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/18/22

Whitby Taunton Holdings Limited
4120 Coronation Road

An application has been received from Whitby Taunton Holdings Limited, for a variance from the provisions of By-law 1784.

The application is for permission to permit one single detached dwelling unrelated to farming on the subject property (notwithstanding Section 11(a)(i)) on a lot created after March 14, 1994, provided the dwelling is contained on a lot held under distinct and separate ownership from abutting lands as a lot of record as shown by a registered conveyance in the records of the Registry Office or the Land Titles Office and subject to compliance with the zone provisions set out in Schedule "A" of this By-law.

The requested variance is required recognize the existing residential lot located on the subject property, which is proposed to be severed from the lands to the south that are to be redeveloped for a future residential subdivision.

In Support of Application Samantha Chow (Applicant)

In Opposition of Application No One in Attendance

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

S. Chow introduced herself to the Committee as the Planner representing the owner of the subject lands. S. Chow advised the Committee that the subject land is a residual parcel that was created as part of the larger subdivision approval to the south. S. Chow noted that the requested variance is required to permit the legal creation of the subject lot and in her opinion the variances meets the 4 tests as set out by the Planning Act.

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

N. Chornobay asked how the lot configuration was determined.

S. Chow noted that the proposed lot configuration was a result of setback requirements provided by the Central Lake Ontario Conservation Authority.

N. Chornobay asked if the existing dwelling was tied to the original subdivision lands.

S. Chow replied yes.

N. Chornobay asked S. Chow if once the subdivision is registered, the subject property will become a remnant parcel.

S. Chow replied yes.

D. McCarroll asked if when the subdivision is registered, the subject lot will become its own entity.

S. Chow replied yes.

B. O'Carroll did not have any issues with the requested variance.

The Chair asked J. Malfara, Secretary-Treasurer, if any correspondence had been received in relation to the subject application. There was none.

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 permit one single detached dwelling unrelated to farming on the subject property (notwithstanding Section 11(a)(i)) on a lot created after March 14, 1994, provided the dwelling is contained on a lot held under distinct and separate ownership from abutting lands as a lot of record as shown by a registered conveyance in the records of the Registry Office or the Land Titles Office and subject to compliance with the zone provisions set out in Schedule "A" of this By-law located at 4120 Coronation Road be **Granted** subject to the following condition:

1. The applicant satisfy all financial requirements of the Central Lake Ontario Conservation Authority.

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/19/22

Amanullah Kazemi
424 Perry Street

An application has been received from Amanullah Kazemi, for variances from the provisions of By-law 2585.

The application is for permission to (1) reduce the minimum required lot frontage for triplex building from 18.0m to 16.0m; and (2) reduce the minimum width of a two way driveway from 6.0m to 3.8m.

The requested variances are required to recognize the existing driveway and lot frontage associated with the triplex building located on the subject property.

In Support of Application Amanullah Kazemi (Applicant)

In Opposition of Application No One in Attendance

Also In Attendance Joshua Bozec

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

A. Kazemi introduced himself to the Committee as the Applicant. He noted that the requested variances are required to recognize the existing driveway and lot frontage associated with the existing building, and to permit a building permit to be issued to permit the conversion of the building from a duplex to legal triplex.

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

N. Chornobay noted that the building appears to be designed as a triplex from the outside, and also expressed that he has no concerns with the requested variances.

B. O'Carroll noted that she has no concerns with the requested variances.

J. Cardwell asked if staff had any concerns with the existing front yard paving in front of the front steps.

J. Malfara noted that this is not a concern, but parking in front of the steps would not be permitted as parking for a multi unit building should be directed to the rear parking lot.

J. Cardwell asked if a planter can be placed nearest to the front walkway to prevent parking in this location.

A. Kazemi replied yes, if necessary.

D. McCarroll expressed concerns with the ingress and egress of vehicles due to the reduced width of the driveway.

The Chair asked J. Malfara, Secretary-Treasurer, if any correspondence had been received in relation to the subject application. There was none.

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

J. Bozec introduced himself as the owner of the neighbouring property at 125 Chestnut Street East. He expressed concerns with potential flooding at the rear of his property, which he attributed to seasonal water run-off from the applicant's property.

J. Bozec shared photos with the Committee illustrating the seasonal flooding in his rear yard. A conversation ensued regarding the feasibility of regrading the property to prevent additional flooding.

J. Bozec noted that he is not in objection to the requested variances, but would like the flooding issues addressed.

J. Malfara advised J. Bozec that he can forward his contact information to the Engineering Department for possible assistance. J. Bozec noted that he will reach out to J. Malfara following the meeting.

The Chair asked if there were any else from the public that wanted to provide comments. There was no one.

The Chair asked if the Engineering Department had any comments with regards to drainage and grading.

J. Malfara replied no.

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

Moved by: N. Chornobay

That the application to (1) reduce the minimum required lot frontage for triplex building from 18.0m to 16.0m; and (2) reduce the minimum width of a two way driveway from 6.0m to 3.8m located at 424 Perry Street 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.

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/20/22

Julie Odanski of David Small Designs
176 Way Street

An application has been received from Julie Odanski of David Small Designs, for variances from the provisions of By-law 1784.

The application is for permission to (1) increase the maximum permitted lot coverage from 20% to 29.7%; (2) increase the maximum permitted driveway width from 7.5m to 8.2m; and (3) reduce the minimum front yard setback from 10.5m to 5.5m.

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

In Support of Application Peter Giordano

In Opposition of Application No One in Attendance

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

P. Giordano introduced himself as the applicant and noted that they are requesting to table the following application to the next Committee of Adjustment meeting on May 5, 2022. This is required to address comments provided by the Planning Department in the Staff Report.

B. O'Carroll asked if a new circulation will be required if the application is tabled.

J. Malfara noted that a new circulation will not be required. This is only required when a new variance is added to the application or when there are interested parties. In this case there are no registered interested parties to this application.

J. Cardwell asked if the only amendment will be to Variance #3.

P. Giordano replied yes.

The Chair asked J. Malfara, Secretary-Treasurer, if any correspondence had been received in relation to the subject application. There was none.

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 maximum permitted lot coverage from 20% to 29.7%; (2) increase the maximum permitted driveway width from 7.5m to 8.2m; and (3) reduce the minimum front yard setback from 10.5m to 5.5m located at 176 Way Street be **Tabled** to the May 5, 2022 Committee of Adjustment meeting.

Carried

Item 3: Approval of Previous Minutes

Moved by: D. McCarroll

That the minutes of the Committee of Adjustment held on Thursday March 24, 2022 be adopted.

Carried

Item 4: Other Business

J. Malfara provided an update to the Committee regarding the continuation of the virtual meeting format. He noted that the virtual Committee of Adjustment meetings will be held until the end of the year.

J. Malfara also provided the Committee with an update on the Town's Comprehensive Zoning By-law Review, and advised them of the upcoming Virtual Public Open House.

Item 5: Adjournment

Moved by: B. O'Carroll

That this meeting of the Committee of Adjustment be adjourned.

Carried

[Original approved]

Secretary Treasurer

[Original approved]

Chair