

Minutes of the 15th Meeting



Committee of Adjustment

Meeting Date: Thursday November 12, 2020
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

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/41/20

Don & Vicky MacKenzie

65 Resolute Crescent

An application has been received from Don & Vicky MacKenzie, 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 25% to 26%; and
2. Reduce the minimum required interior side yard setback to a covered/uncovered deck located within a rear yard from 1.0m to 0.7m.

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

The subject property is located at 65 Resolute Crescent and is zoned Residential (R1A) within the Town of Whitby Zoning By-law 1784.

In Support of Application

Don MacKenzie
Vicky MacKenzie

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. MacKenzie and V. MacKenzie introduced themselves as the owners of the subject property.

D. Mackenzie advised the Committee that they have a deck located in the rear yard currently. They are now proposing to reconstruct the deck with a covered outdoor kitchen and amenity area. V. MacKenzie noted that the new proposal is slightly over the permitted lot coverage and is slightly closer to the interior side yard than what is permitted.

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

B. O'Carroll noted that she has no questions or concerns with the proposal.

D. McCarroll noted that he has no questions or concerns.

S. Haslam asked Planning staff if there were any concerns with the reduction in rear yard green space.

J. Malfara noted that the property is a corner lot with a large exterior side yard. Staff did not have any concerns with regards to the slight reduction in landscaped open space within the rear yard.

J. Cardwell noted that he has no questions or concerns.

The Chair noted that the variances are minor, and asked why the applicant's did not alter the proposed deck to comply with the By-law.

D. MacKenzie expressed that they wanted to cover as much as the deck as possible and the proposed configuration would assist in reducing sun impacts while sitting on the deck.

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 public 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 25% to 26%; and 2) reduce the minimum required interior side yard setback to a covered/uncovered deck located within a rear yard from 1.0m to 0.7m located at 65 Resolute Crescent 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 3: Approval of Previous Minutes

Moved by: D. McCarroll

That the minutes of the Committee of Adjustment held on Thursday October 22, 2020 be adopted.

Carried

Item 4: Other Business

S. Haslam asked J. Malfara if there has been any update on the outcome regarding a participant's behaviour at the September 10, 2020 meeting.

J. Malfara advised the Committee that this matter was discussed with the Town of Whitby's Legal and Enforcement Services Department, and an update will be provided to the Committee.

Item 5: Adjournment

Moved by: J. Cardwell

That this meeting of the Committee of Adjustment be adjourned.

Carried

[Original approved]

Secretary Treasurer

[Original approved]

Chair