

# Minutes of the 6th Meeting

## Committee of Adjustment

---



**Meeting Date:** Thursday May 6, 2021  
**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. Taylor, Senior Manager, Zoning & Regulation  
J. Malfara, Secretary-Treasurer

### **Item 1: Disclosure of Interest:**

There was no disclosure of interest by the members of the Committee of Adjustment

**Carried**



That the application to increase the maximum permitted lot coverage from 20% to 25% located at 4 Queen Street 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;
2. Stormwater shall not be directed onto adjacent properties.

**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.



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 increase the maximum permitted accessory structure size from 55.9 sq.m to 78.8 sq.m located at 170 Elizabeth Crescent North 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. Roof leaders from the proposed structure shall not spill onto the neighboring properties.

**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/39/21**

**Marcia and Rupel Ruparelia  
5 Sean Court**

An application has been received from Marcia and Rupel Ruparelia, for a variance from the provisions of By-law 1784.

The application is for permission to reduce the minimum required rear yard setback from 7.5m to 6.4m.

The requested variance is required to permit a proposed sunroom building addition within the rear yard of the property.

In Support of Application

Chris Lalonde

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. Lalonde introduced himself to the Committee as the designer who was retained by the owners of the subject property to design the proposed sunroom building addition at the rear of the property.

C. Lalonde noted that the sunroom will project into the rear yard and a slight reduction to the rear yard setback is required.

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

S. Haslam asked if the structure will be on helical piles or on concrete.

The applicant replied helical piles.

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

J. Malfara replied 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:** S. Haslam

That the application to reduce the minimum required rear yard setback from 7.5m to 6.4m located at 5 Sean Court 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. Stormwater shall not be directed onto adjacent properties.

**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/40/21**

**Gregory Desing Group  
11 Rockland Crescent**

An application has been received from Gregory Design Group, for a variance from the provisions of By-law 1784.

The application is for permission to increase the maximum permitted lot coverage from 40% to 47%.

The requested variance is required to permit a covered rear porch/patio within the rear yard of the subject property.

In Support of Application

Russ Gregory

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. Gregory introduced himself as the applicant and designer retained by the owners of the property. He provided an overview of the requested variances and proposed rear yard porch design. He advised the Committee that he agreed with the conclusions of the Planning Staff report and is of the opinion that the requested variance meets the 4 test as outlined within the Planning Act.

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 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 increase the maximum permitted lot coverage from 40% to 47% located at 11 Rockland Crescent 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. Roof leaders from the proposed structure shall not spill onto the neighboring properties.



## **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/41/21**

**Cedar City TFP Whitby  
31 Torbay Court**

An application has been received from Cedar City TFP Whitby, for a variance from the provisions of By-law 1784.

The application is for permission to reduce the minimum required rear yard setback from 7.5m to 3.0m.

The requested variance is required to permit the construction of a detached dwelling on an irregular shaped lot.

In Support of Application                      Richard Vink

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. Vink introduced himself as the representative of the owners of the subject property. He provided an overview of the requested variance and noted that the variance is required due to the irregular shaped lot. The triangular shape of the property would result in a limited building area without a variance to the rear yard setback.

At the deepest point, the rear yard setback is approximately 11.0m, and the requested variance would only apply to a small area within the south portion of the rear yard.

R. Vink concluded that the variance is appropriate and meets the 4 tests as outlined in the Planning Act.

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 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:** S. Haslam

That the application to reduce the minimum required rear yard setback from 7.5m to 3.0m located at 31 Torbay Court 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 2: Public Hearings

**A/42/21**

**Jason D'Altroy**  
**4635 Garrard Road**

An application has been received from Jason D'Altroy, for variances from the provisions of By-law 1784.

The application is for (1) permission to increase the maximum permitted lot coverage from 10% to 11%, and (2) reduce minimum required interior side yard setback from 4.5m to 2.0m.

The requested variances are required to permit a proposed building addition that would connect the existing detached dwelling to the detached garage.

In Support of Application	Jason D'Altroy
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.

J. D'Altroy introduced himself to the Committee as the owner of the subject property. He provided an overview of the requested variances and noted that they are required to permit the enlargement of the existing dwelling located on the property.

The Chair asked the applicant if he agreed with Planning Staff's recommendation to amend variance #2 to increase the requested side yard setback from 2.0m to 2.7m.

J. D'Altroy agreed.

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. 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:** D. McCarroll

That the application to (1) increase the maximum permitted lot coverage from 10% to 11%, and (2) reduce minimum required interior side yard setback from 4.5m to 2.7m located at 4635 Garrard Road 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.

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/43/21**

**Forterra Pipe and Precast Ltd.  
1818 Hopkins Street**

An application has been received from Forterra Pipe and Precast Ltd. for a variance from the provisions of By-law 1784.

The application is to permit the construction of a building(s) on a lot that does not front upon an improved public street.

The requested variance is required to permit the expansion of the existing industrial use on the subject property, which currently fronts upon a private road.

In Support of Application	Shane Egan Steve Edwards
---------------------------	-----------------------------

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. Egan introduced himself as a representative of the Forterra Pipe and Precast Ltd. and provided an historical overview of the company.

S. Edwards introduced himself as the Planning Consultant representing Forterra Pipe and Precast Ltd. He provided an overview of the requested variance and concluded that previously this portion of Hopkins Street was a public road but was converted to a private road when the GO Rail maintenance facility was constructed to the north and severed Hopkins Street.

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. 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 the construction of a building on a lot that does not front upon an improved public street located at 1818 Hopkins Street be **Granted** subject to the following condition:

1. All Public Works requirements related to Site Plan Application SP-14-19 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.

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/44/21**

**Johnathan McQuoid**  
**4 Corvinelli Drive**

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

The application is for permission to increase the maximum permitted lot coverage from 33% to 34.5%.

The requested variance is required to permit the construction of a gazebo within the rear yard of the subject property.

In Support of Application J. McQuoid

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.

J. McQuoid introduced himself to the Committee as the owner of the subject property. He noted that the requested variance is required to permit a gazebo in the rear yard of his property.

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. There was none.

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

J. Malfara advised the Committee that it appeared that someone in the audience was attempting to speak. After multiple attempts to make contact with this individual there was no response.

J. Taylor advised the Committee that should the individual (known as Frank by the virtual label) wishes to appeal the application, their rights to appeal during the 20 day appeal period would be upheld. Staff sent multiple messages to "Frank" to determine if they had comments on the application without success.

**Moved by:** S. Haslam

That the application to increase the maximum permitted lot coverage from 33% to 34.5% located at 4 Corvinelli Drive be **Granted** subject to the following condition:



1. Stormwater shall not be directed onto adjacent properties.

**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.



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/46/21**

**DeNoble Homes (Dustin DeNoble)**

**21 Ouellette Drive**

An application has been received from DeNoble Homes (Dustin DeNoble), for a variance from the provisions of By-law 1784.

The application is for permission to reduce the minimum required lot frontage for a single detached dwelling with a two car garage from 10.5m to 10.3m.

The requested variance is required to permit the construction of a two storey detached residential dwelling on the subject property.

In Support of Application                      Dustin DeNoble

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. DeNoble introduced himself to the Committee as the applicant. He advised the Committee that 10.5m of lot frontage is required for a dwelling with a two car garage. He concluded that his lot will have a maximum frontage of 10.3m and therefore a variance is required.

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. 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 reduce the minimum required lot frontage for a single detached dwelling with a two car garage from 10.5m to 10.3m located at 21 Ouellette Drive 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.

Minutes of the 6th Meeting of Committee of Adjustment

## Item 2: Public Hearings

**A/47/21**

**DVD Holdings Inc.  
105 Old Colony Drive**

An application has been received from DVD Holdings Inc., for a variance from the provisions of By-law 1784.

The application is for permission to reduce the minimum required rear yard setback from 15.0m to 14.5m.

The requested variance is required to permit the construction of a proposed two storey detached residential dwelling on the subject property.

In Support of Application                      George Pietracci

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.

G. Pietracci introduced himself to the Committee as the representative of the owners of the subject property. He advised the Committee that a variance is required from the minimum rear yard setback, and was happy to answer any questions that the Committee may have.

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

B. O'Carroll asked if the variance is required due to site constraints or the design of the house.

G. Pietracci replied that the variance was a result of pushing the dwelling towards to rear yard in order to achieve a larger front yard setback as requested by Planning Staff.

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 reduce the minimum required rear yard setback from 15.0m to 14.7m located at 105 Old Colony 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.

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/48/21**

**DVD Holdings Inc.  
107 Old Colony Drive**

An application has been received from DVD Holdings Inc., for a variance from the provisions of By-law 1784.

The application is for permission to reduce the minimum required rear yard setback from 15.0m to 14.5m.

The requested variance is required to permit the construction of a proposed two storey detached residential dwelling on the subject property.

In Support of Application                      George Pietracci

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.

G. Pietracci introduced himself to the Committee as the representative of the owners of the subject property. He advised the Committee that a variance is required from the minimum rear yard setback, and was happy to answer any questions that the Committee may have.

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

S. Haslam asked if this variance is similar to the one applied for as part of application A/48/21.

G. Pietracci 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:** S. Haslam

That the application to reduce the minimum required rear yard setback from 15.0m to 14.5m located at 107 Old Colony 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.

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/49/21**

**DVD Holdings Inc.  
109 Old Colony Drive**

An application has been received from DVD Holdings Inc., for variances from the provisions of By-law 1784.

The application is for permission to:

1. reduce the minimum required rear yard setback from 15.0m to 14.5m; and
2. increase the maximum permitted building height from 8.5. to 8.6m.

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

In Support of Application

George Pietracci

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.

G. Pietracci introduced himself to the Committee as the representative of the owners of the subject property. He advised the Committee that a variance is required from the minimum rear yard setback, and to increase the maximum permitted building height. He noted that the height variance is required due to grading constraints on the site.

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. 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 reduce the minimum required rear yard setback from 15.0m to 14.5m; and (2) increase the maximum permitted building height from 8.5. to 8.6m located at 109 Old Colony 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.

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/50/21**

**DVD Holdings Inc.  
110 Old Colony Drive**

An application has been received from DVD Holdings Inc., for a variance from the provisions of By-law 1784.

The application is for permission to increase the maximum permitted building height from 8.0m to 8.7m.

The requested variance is required to permit the construction of a proposed two storey detached residential dwelling on the subject property.

In Support of Application

G. Pietracci

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.

G. Pietracci introduced himself to the Committee as the representative of the owners of the subject property. He advised the Committee that a variance is required from the maximum permitted building height. He noted that the height variance is required due to grading constraints on the site, and the proposed building height will be compatible with the neighboring dwellings.

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. 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:** D. McCarroll

That the application to increase the maximum permitted building height from 8.0m to 8.7m located at 110 Old Colony Drive 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 2: Public Hearings

**A/51/21**

**DVD Holdings Inc.  
111 Old Colony Drive**

An application has been received from DVD Holdings Inc., for variances from the provisions of By-law 1784.

The application is for permission to:

1. reduce the minimum required rear yard setback from 15.0m to 14.5m; and
2. increase the maximum permitted building height from 8.0. to 8.4m.

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

In Support of Application

George Pietracci

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.

G. Pietracci introduced himself to the Committee as the representative of the owners of the subject property. He advised the Committee that a variance is required from the maximum permitted building height. He noted that the height variance is required due to grading constraints on the site, and the proposed building height will be compatible with the neighboring dwellings. He also noted that a variance is also required to reduce the minimum required rear yard setback from 15.0m to 14.5m.

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. 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 minimum required rear yard setback from 15.0m to 14.5m; and (2) increase the maximum permitted building height from 8.0. to 8.4m located at 111 Old Colony 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.

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/52/21**

**DVD Holdings Inc.  
113 Old Colony Drive**

An application has been received from DVD Holdings Inc., for variances from the provisions of By-law 1784.

The application is for permission to:

1. reduce the minimum required rear yard setback from 15.0m to 14.5m; and
2. increase the maximum permitted building height from 8.0. to 8.4m.

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

In Support of Application

George Pietracci

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.

G. Pietracci introduced himself to the Committee as the representative of the owners of the subject property. He advised the Committee that a variance is required from the maximum permitted building height. He noted that the height variance is required due to grading constraints on the site. He also noted that a variance is also required to reduce the minimum required rear yard setback from 15.0m to 14.5m.

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. 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 (1) reduce the minimum required rear yard setback from 15.0m to 14.5m; and (2) increase the maximum permitted building height from 8.0. to 8.4m located at 113 Old Colony 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.

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/53/21**

**DVD Holdings Inc.  
115 Old Colony Drive**

An application has been received from DVD Holdings Inc., for variances from the provisions of By-law 1784.

The application is for permission to:

1. reduce the minimum required rear yard setback from 15.0m to 14.5m; and
2. increase the maximum permitted building height from 8.0. to 8.4m.

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

In Support of Application                      George Pietracci

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.

G. Pietracci introduced himself to the Committee as the representative of the owners of the subject property. He advised the Committee that a variance is required from the maximum permitted building height. He noted that the height variance is required due to grading constraints on the site. He also noted that a variance is also required to reduce the minimum required rear yard setback from 15.0m to 14.5m.

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. 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:** S. Haslam

That the application to (1) reduce the minimum required rear yard setback from 15.0m to 14.5m; and (2) increase the maximum permitted building height from 8.0. to 8.4m located at 115 Old Colony 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.

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/54/21**

**DVD Holdings Inc.  
117 Old Colony Dr**

An application has been received from DVD Holdings Inc., for variances from the provisions of By-law 1784.

The application is for permission to:

1. reduce the minimum required lot frontage from 15.0, to 14.75m;
2. reduce the minimum required rear yard setback from 15.0m to 12.5m; and
3. increase the maximum permitted building height from 8.0. to 8.6m.

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

In Support of Application

George Pietracci

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.

G. Pietracci introduced himself to the Committee as the representative of the owners of the subject property.

He advised the Committee that a variance is required from the maximum permitted building height. He noted that the height variance is required due to grading constraints on the site. He also noted that a variance is also required to reduce the minimum required rear yard setback from 15.0m to 12.5m, and to reduce the minimum required lot frontage from 15.0m to 14.75m.

G. Pietracci noted that the subject property is a pie shaped lot and irregular in shape. The geometry of the property results in a deficient lot frontage although the lot is large in area.

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. 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 minimum required lot frontage from 15.0, to 14.75m; (2) reduce the minimum required rear yard setback from 15.0m to 12.5m; and (3) increase the maximum permitted building height from 8.0. to 8.6m located at 117 Old Colony 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.

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:** J. Cardwell

That the minutes of the Committee of Adjustment held on Thursday April 15, 2021 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]

---

Secretary Treasurer

[Original approved]

---

Chair