



Minutes of the Special Meeting of the Committee of Adjustment

Meeting Date: Tuesday April 09, 2019
Meeting Time: 7:00 p.m.
Meeting Location: Whitby Municipal Building
575 Rossland Road East, Committee Room 1

Present:

S. Haslam, Chair
J. Cardwell
B. O'Carroll
D. McCarroll
N. Chornobay
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

Item 2: Public Hearings

A/33/19

VON Durham Region Community Corporation Prince of Wales Drive

An application has been received from VON Durham Region Community Corporation for variances from the provisions of the Town of Whitby Zoning By-Law 1784.

The application is for permission to:

1. Reduce the minimum required interior/exterior side yard setback from 10.5m to 6.7m;
2. Reduce the minimum required setback of a loading space from 7.5m to 3.7m to a street line;
3. Permit a loading space in a front yard or exterior side yard between the nearest part of any wall of the main building and the front lot line or the exterior side lot line;
4. Reduce the minimum required parking ratio from 1 space per 23 sq.m of gross floor area to 1 space per 41 sq.m of gross floor area; and
5. Add a Hospice as a permitted use within the Institutional (I) Zone;

The subject property is located at the north east corner of Prince of Wales Drive and Crawforth Street (Block K, Plan M1133). The property is zoned Institutional (I) within the Town of Whitby Zoning By-law 1784.

In Support of Application

Jeff Solly (Agent)
Mark Murphy (Applicant)

In Opposition of Application

Ted Helps (Resident)

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

J. Solly introduced himself to the Committee as the representative of VON Durham Region Community Corporation. He advised the Committee that Council had previously endorsed the location of the proposed hospice as well as the conveyance of Town land for the development of the hospice.

J. Solly advised the Committee that the proposed hospice use is institutional in nature and is similar to a long term care facility use which is currently permitted by the By-law.

With regards to parking, J. Solly noted that a parking rational was completed and supports the proposed number of parking spaces on the site.

J. Solly also noted that the Town identified that the Crawforth Street right of way may be realigned in the future and therefore advised that a road widening block on the south portion of the site would be retained by the Town. This resulted in additional minor variances.

J. Solly further noted that with respect to the loading space variances, in his opinion the location of the proposed loading spaces is appropriate, and the associated variances are minor in nature.

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

N. Chornobay asked the applicant to provide an overview of the proposed site plan based on the presentation materials provided by the applicant.

N. Chornobay noted that there is an existing berm on the property along the Prince of Wales Drive frontage.

J. Solly confirmed the observation, and noted that this area will be regraded and will also include additional landscaping.

N. Chornobay asked the applicant how many employees the hospice will require.

J. Solly replied that the hospice will have 10 employees during the day and 2 employees in the evenings.

N. Chornobay asked how many visitors the hospice will generate.

M. Murphy replied that this information is unknown, but in most cases one family member will be in attendance at all times.

N. Chornobay asked if there will be any outdoor activity space.

M. Murphy replied that there will be a central courtyard for residents and visitors to enjoy.

N. Chornobay asked if there will be any future expansion to the hospice.

J. Solly replied that the proposed hospice is not anticipated to expand. He noted that adding additional beds will take away from the small scale character and will become more institutionalized, which is not their intention.

N. Chornobay asked if the variances are required due to the portion of lands being retained by the Town.

J. Taylor replied yes, in part. He further noted that the original site to be conveyed to the applicant was 3 acres. The applicant will only be using 2.35 acres of the property and the remaining land will be retained by the Town.

D. McCarroll Asked if the entrance will be from Crawforth Street.

J. Solly replied yes.

B. O'Carroll asked if the bermed area along the Prince of Wales Drive frontage will have any landscape features.

J. Solly replied that the main landscape features will be located within the private courtyard area. However, additional trees will be planted along Prince of Wales Drive.

B. O'Carroll asked if this landscaping will be in keeping with the existing homes on the west side of Prince of Wales Drive.

J. Solly replied yes.

N. Chornobay asked what the setback will be from Prince of Wales Drive to the proposed hospice building.

J. Solly replied approximately 188 feet (57.3m).

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.

T. Helps introduced himself to the Committee as a resident who resides on Prince of Wales Drive. He asked if there will be a future expansion to the hospice after it is constructed. He also expressed concerns with the bermed area that the hospice will retain abutting the east side of Prince of Wales Drive. His concern was that that hospice can use this area to expand in the future.

J. Solly replied that the expansion of the proposed building is not contemplated.

M. Murphy noted that the proposed hospice was only designed to be a 10-bed facility, and they have no plans to expand the use.

S. Haslam advised T. Helps that the expansion of the proposed hospice is not related to any of the variances being requested.

T. Helps asked if the hospice can dedicate the unoccupied bermed area adjacent to Prince of Wales Drive back to the Town.

J. Solly replied that they intend to provide a 12m wide strip of land back to the neighbouring public park, located on the north side of the hospice property. Providing the landscape strip abutting Prince of Wales Drive back into public ownership would not be suitable in size for park space.

N. Chornobay asked the applicant if they are proceeding through the Site Plan Approval process.

J. Solly replied yes. He noted that the Site Plan is nearing completion and there have been no issues raised in regards to the configuration of the proposed hospice building.

N. Chornobay asked the applicant what Site Plan Approval obliges the applicant to do.

J. Solly replied that once Site Plan Approval is granted, they must comply with the approved plans.

J. Taylor noted that the proposed Site Plan was circulated to the Town of Whitby Parks Department and they did not have any interest in retaining the bermed area abutting Prince of Wales Drive.

J. Taylor further noted that this area will include enhanced landscaping and the parking lot will have full cut-off lighting.

The Chair asked if there was anyone else from the public that wished to speak to the subject application. There was no one.

Moved by: N. Chornobay

The application to: (1) reduce the minimum required interior/exterior side yard setback from 10.5m to 6.7m; (2) reduce the minimum required setback of a loading space from 7.5m to 3.7m to a street line; (3) permit a loading space in a front yard or exterior side yard between the nearest part of any wall of the main building and the front lot line or the exterior side lot line; (4) reduce the minimum required parking ratio from 1 space per 23 sq.m of gross floor area to 1 space per 41 sq.m of gross floor area; and (5) add a Hospice as a permitted use within the Institutional (I) Zone located at Prince of Wales Drive be **Granted** subject to the following conditions:

1. That all Public Works requirements related to Site Plan application SP-19-18 are complied with; and
2. That a "hospice" shall mean a lot and a building(s), or portion thereof used to provide palliative care and other support services to individuals.

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: B. O'Carroll

That the minutes of the Committee of Adjustment held on Tuesday March 19, 2019 be adopted at the April 11, 2019 Committee of Adjustment meeting.

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 and signed]

Secretary Treasurer

[Original approved and signed]

Chair