



Committee of Adjustment

Meeting Date: Thursday December 2, 2021

Meeting Time: 7:00 p.m.

Meeting Location: Virtual Meeting

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/90/21

**Vandenboom Properties Inc.
301 Colborne Street East**

An application has been received from Vandenboom Properties Inc., for variances from the provisions of By-law 2585.

The application is for permission to (1) reduce the minimum required front yard setback from 5.6m to 4.7m, (2) increase the maximum permitted porch projection into an exterior side yard from 1.5m to 1.6m, and (3) permit a parking space within a front yard, whereas this is not permitted for buildings containing 3 or more dwelling units.

The subject property is located at 301 Colborne St E and is zoned Holding - Residential Type 6 – Downtown Zone (H-R6-DT) within By-law 2585.

The requested variances are required to recognize the existing three unit, converted dwelling located on the subject property.

In Support of Application

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. Edwards introduced himself to the Committee as the applicant and representative of the owner of the subject land. He has reviewed the Staff report and agrees with the recommendations.

S. Edwards also advised the Committee that the building was formerly used as a residential dwelling, and was converted to a daycare use. The owner is now proposing to revert the use back to residential.

The Chair asked the applicant if he agrees with the removal of variance #3 as requested by Planning Staff in the staff report.

S. Edwards confirmed that Variance 3 is no longer required.

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

J. Cardwell asked how many apartments will be located within the building and if a building permit is required.

S. Edwards replied three units, and a permit will be required.

D. McCarroll asked if the parking lot in the rear yard will remain in place or be reverted back to grass.

S. Edwards advised that the parking lot will remain in place.

B. O'Carroll asked if the parking space variance (variance #3) will be withdrawn, will the applicant convert the existing parking space in the front yard back to grass.

S. Edwards replied that it will remain as it is an existing feature of the property.

J. Malfara advised the Committee that if the applicant wanted to convert the space to a formal parking space and not just an extension of the driveway, then a variance is required.

J. Malfara noted that the property meets/exceeds the minimum number of parking spaces located at the rear of the property, and no additional parking spaces are required to comply with the By-law.

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) reduce the minimum required front yard setback from 5.6m to 4.7m, and (2) increase the maximum permitted porch projection into an exterior side yard from 1.5m to 1.6m located at 301 Colborne Street East 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/91/21

**Jim Pitre on Behalf of Denise O'Boyle
64 Holsted Rd**

An application has been received from Jim Pitre on Behalf of Denise O'Boyle, 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 42%.

The subject property is located at 64 Holsted Road and is zoned Residential Wide Shallow Zone (R2A*WS) within By-law 1784.

The requested variance is required to permit an accessory structure (pool house) within the rear yard of the subject property.

In Support of Application Jim Pitre

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. Pitre introduced himself to the Committee as the applicant and noted that a minor variance to increase the lot coverage from 40% to 42% is required to permit a proposed pool house in the rear yard. He also advised the Committee that in his opinion the variance meets the 4 tests as outlined by 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 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 increase the maximum permitted lot coverage from 40% to 42% located at 64 Holsted Road be **Granted** subject to the following conditions:

1. That the site grading and all other services conform to the requirements of Engineering Services department; and

2. Roof leaders from the proposed structure shall not spill onto the neighbouring property.

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/92/21

Pretium Engineering on Behalf of Durham District School Board 20 Forest Heights Street

An application has been received from Pretium Engineering on Behalf of Durham District School Board, for variances from the provisions of By-law 1784.

The application is for permission to (1) increase the maximum width of a 2 way drive aisle from 8.5m to 8.75m, (2) increase the maximum width of a 1 way drive aisle from 6.0m to 7.4m, and (3) increase the maximum width of a 1 way driveway from 7.0m to 8.5m.

The subject property is located at 20 Forest Heights Street and is zoned Institutional/Residential (I/R2A) within By-law 1874.

The requested variances are required to permit the reconfiguration/expansion of the existing parking lot located on the subject property.

In Support of Application

Christopher Zhu

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. Zhu introduced himself to the Committee and advised that a proposal has been submitted to the Planning Department to reconfigure the school's parking area. This is required to meet the current parking demands of the school.

C. Zhu noted that the variances are minor in nature.

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

Moved by: D. McCarroll

The application is for permission to (1) increase the maximum width of a 2 way drive aisle from 8.5m to 8.75m, (2) increase the maximum width of a 1 way drive aisle from 6.0m to 7.4m, and (3) increase the maximum width of a 1 way driveway from 7.0m to 8.5m located at 20 Forest Heights Street be **Granted** subject to the following condition:

1. That the site grading and all other services conform to the requirements of the Engineering Services 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.

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 November 11, 2021 be adopted.

Carried

Item 4: Other Business

There were no items raised under other business

Item 5: Adjournment

Moved by: B. O'Carroll

That this meeting of the Committee of Adjustment be adjourned.

Carried
