Minutes of the 15th Meeting of the Committee of Adjustment

Meeting Date: Thursday November 10, 2016
Meeting Time: 7:00 p.m.
Meeting Location: Whitby Municipal Building
575 Rossland Road East, Committee Room 1

Present:

J. Cardwell, Chair
S. Haslam
B. O’Carroll
D. McCarroll
N. Chornobay
K. Kram, 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/60/16
Waltraud Neumann
218 Michael Boulevard

An application has been received from Waltraud Neumann for a variance from the provisions of By-Law 2585.

The application is for permission to increase the maximum permitted lot coverage from 35% to 38%.

The requested variance is to permit the construction of a porch (covered deck) in the rear yard.

The subject property is located at 218 Michael Boulevard and is zoned Residential (R2).

In Support of Application Waltraud Neumann – Owner/applicant
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.

W. Neumann addressed the Committee in support of the subject application. She explained that there is a deck behind the house and they would like to cover it so that they can enjoy the space protected from the sun and rain.

S. Haslam asked for clarification that there would be no walls or screens to enclose the space.

W. Neumann noted that there will be no walls or screens to enclose the space.

B. O’Carroll asked if the roof area will extend beyond the existing deck.

W. Neumann explained that the roof will extend beyond the existing deck to the side of the existing dwelling.

D. McCarroll noted that he does not think the application will have any affect on neighbouring properties.

W. Neumann noted that the properties behind the subject property are pie shaped so the proposed construction will not have any affect on the neighbours.

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

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That the application to increase the maximum permitted lot coverage from 35% to 38% 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. That all roof drainage from the proposed structure shall not be directed onto the adjacent 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/61/16

Stephen Jones
33 Corvinelli Drive

An application has been received from Stephen Jones 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 40%.

The requested variance is to permit the construction of a porch (covered deck) and accessory structure in the rear yard.

The subject property is located at 33 Corvinelli Drive and is zoned Residential (R1A*).

In Support of Application Stephen Jones – Owner/applicant

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. Jones addressed the Committee in support of the subject application. He explained that he is proposing to build a covered porch at the back of the house to provide a sheltered area. He is also proposing to construct an accessory structure (cabana) in the northwest corner of the rear yard. The cabana will be used for storage.

S. Jones presented a petition signed by his neighbours stating that they had seen a draft of the plans and that they are in support the application. He handed out copies of the petition to the Committee.

N. Chornobay asked if there is a pool in the backyard.

S. Jones stated that currently there is no pool however they may construct a pool in the future. If they do construct a pool they can use the cabana for pool equipment storage.

B. O’Carroll asked if there is an existing deck to the rear of the dwelling now, and if so, will the covered area be the same size as the existing deck.

S. Jones stated that there is a deck there now and that the covered area will be of a similar size. He added that the colours and materials to be used for the covered porch and cabana will match the existing house.
S. Jones also noted that in this zone a single storey single detached dwelling gets a maximum permitted lot coverage of 40%, so he is asking for the same lot coverage that bungalow lots in this neighbourhood have.

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 lot coverage from 33% to 40% 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. That all roof drainage from the proposed structures shall not be directed onto the adjacent property.
3. That to prevent a negative impact to the adjacent properties, the proposed works shall not alter the property drainage pattern.

**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/62/16

Dancor Development Corporation
2055 Forbes Street

An application has been received from Dancor Development Corporation for a variance from the provisions of By-Law 1784.

The application is to permit a retail or wholesale outlet, ancillary to a permitted industrial use, provided that such retail or wholesale outlet does not occupy more than 10% of the gross floor area of the industrial use.

The requested minor variance is to permit a warehouse (United Auto Parts) with ancillary retail sales to operate from the subject property.

The subject property is located at 2055 Forbes Street and is zoned General Industrial (M1).

In Support of Application None at this time.
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. McCarroll noted for the record that the applicant was not present to speak to the application.

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

There was a discussion about what products would be retailed from the premises and it was noted by the Committee that the proposed tenant would be retailing auto parts.

D. McCarroll asked K. Kram, Secretary-Treasurer for clarification about where the proposed use will be located.

K. Kram explained that the proposed use will be located in the south end of Building B which is the building in the middle of the site.

Moved by: N. Chornobay

That the application to permit a retail or wholesale outlet, ancillary to a permitted industrial use, provided that such retail or wholesale outlet does not occupy more than 10% of the gross floor area of the industrial use be Granted.

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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 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 20, 2016 be adopted.
Carried

Item 4:  Other Business

K. Kram gave the Committee an update on three OMB hearings that have been scheduled for January 2017.
The Committee answered questions about the role and function of the Committee from a number of Durham College students who were present.

Item 5:  Adjournment

Moved by: N. Chornobay
That this meeting of the Committee of Adjustment be adjourned.
Carried

Original approved and signed
Secretary Treasurer

Original approved and signed
Chair

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