



**COMMITTEE OF ADJUSTMENT
NOVEMBER 24, 2021
PUBLIC HEARING MINUTES**

Members Present: Steve Trotter, Chair
Jay Dolan, Member
Marc Pumple, Member
Victoria Lemieux, Member
Andy Thomson, Member

Staff Present: Tiffany Thompson, Manager of Growth and Development
Carlissa McLaren, Manager of Planning (Acting)
Madeline Kowalchuk (Snow), Planner
Janice Sadgrove, Secretary-Treasurer

Next Meeting: January 26, 2022, at 5:00 p.m., Virtual Meeting (Zoom)

1. CALL TO ORDER

2. DECLARATIONS OF CONFLICT – POTENTIAL PECUNIARY INTEREST

There were none.

3. REQUESTS FOR DEFERRAL/ADJOURNMENT

There were none.

4. ADOPTION OF MINUTES

The minutes of the Committee of Adjustment hearing held on October 27, 2021, were adopted as circulated.

**Motioned by: Victoria Lemieux, Member
Second: Andy Thomson, Member
CARRIED**

5. STATUTORY PUBLIC HEARINGS

**5. (a) MINOR VARIANCE APPLICATION: A59/21 – 2 Glen Oak Court
APPLICANT: Gregor Homes Ltd. c/o Bradley Dumond on behalf of Brad Rudachyk**

This application, if granted by the Committee of Adjustment, will serve to permit a sunroom addition with a deficient side yard setback.

The applicant is seeking the following minor variance(s):

1. A side yard setback of 1.3 metres, whereas the Comprehensive Zoning By-Law, under subsection 5.3.3.2(a), requires a minimum side yard setback of 3 metres.

REPRESENTATION:

Brad Rudachyk, Owner

INTERESTED PERSONS:

There were none.

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated November 24, 2021

Development Services – Transportation Planning: No comments

Development Services – Parks Planning: Comments dated November 18, 2021

Development Services – Approvals Branch: No comments

Building Services: Comments dated November 18, 2021

Finance Department: DCA comments dated November 16, 2021

Alectra Utilities: Comments dated November 9, 2021

DISCUSSION:

Brad Rudachyk, the owner, provided an overview of the application. He noted the addition of a sunroom would provide health benefits, enjoyment, and accessibility. There was discussion on Parks Planning comments regarding protection of the municipal boulevard trees during construction. Mr. Rudachyk said he will ensure the trees will not be impacted.

The Secretary-Treasurer read a summary of all comments received to date.

The Committee opened discussion to the public. There were no comments from the public.

The Committee made a motion to approve the application with conditions as outlined by staff.

DECISION:

The decision of the Committee is that the application be granted with conditions.

**Motioned by: Jay Dolan, Member
Second: Marc Pumple, Member
CARRIED**

- 5. (b) CONSENT APPLICATION: B38/21 – 214 Phillips Street
MINOR VARIANCE APPLICATION: A63/21 – 214 Phillips Street
MINOR VARIANCE APPLICATION: A64/21 – 214 Phillips Street
APPLICANT: Jason Stuart**

The application (B38/21), if granted by the Committee of Adjustment, will serve to permit the creation of a new residential lot.

The severed lands propose to have a lot area of 415.43 square metres and a proposed lot frontage of 15.85 metres on Phillips Street.

The retained lands propose to have a lot area of 596.67 square metres and a proposed lot frontage of 22.31 metres on Phillips Street.

This application (A63/21), if granted by the Committee of Adjustment, will serve to recognize a rear yard setback to the existing dwelling on the retained lands should consent application B38/21 be approved.

The applicant is seeking the following minor variance(s):

1. To recognize a rear yard setback of 1.38 metres, whereas the Comprehensive Zoning By-Law, under Section 5.3.1. Table 5.3, requires a minimum rear yard setback of 7 metres.

This application (A64/21), if granted by the Committee of Adjustment, will serve to permit a deficient lot area and rear yard setback for a new single detached dwelling on the severed lands should consent application B38/21 be approved.

The applicant is seeking the following minor variance(s):

1. A deficient lot area of 415.43 square metres, whereas the Comprehensive Zoning By-Law, under Section 5.3.1. Table 5.3, requires a minimum lot area of 500 square metres.
2. A rear yard setback of 4 metres, whereas the Comprehensive Zoning By-Law, under Section 5.3.1. Table 5.3, requires a minimum rear yard setback of 7 metres.

REPRESENTATION:

Jason Stuart, Applicant

INTERESTED PERSONS:

Bill Morin

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated November 24, 2021

Development Services – Transportation Planning: Comments dated November 17, 2021

Development Services – Parks Planning: Comments dated November 18, 2021

Development Services – Approvals Branch: Comments dated November 16, 2021

Building Services: Comments dated November 16, 2021

Finance Department: DCA comments dated November 17, 2021

Alectra Utilities: Comments dated November 9, 2021

Public Comments: Peter and Joanne Wrixon, dated November 17, 2021

Public Comments: Ryan McDonald, dated October 25, 2021

DISCUSSION:

Jason Stuart, the applicant, provided an overview of the applications. He provided an illustration of the survey/severance sketch to the Committee members and discussed the deficiencies being requested on both the retained and severed lot. He advised that he intends to build a single family dwelling with a second suite on the newly created lot. He commented that the requested variance on the retained lot is technical in nature as the dwelling has existed for 71 years. Mr. Stuart discussed his rationale for requesting a 4 metre rear yard setback for the proposed future dwelling on the severed lot. He provided an illustration of a site plan indicating 4 parking spaces and pointed out that the reduced setback would allow for increased parking on site and the orientation of the dwelling would be in align with the neighbouring properties.

The Secretary-Treasurer read a summary of all comments received to date.

The Committee opened discussion to the public.

Bill Morin, 213 Phillips Street, expressed concern with increased on-street parking. There was discussion on the location of the driveways on each proposed lot. Mr. Morin suggested relocating the existing driveway to access Crawford Street. Mr. Stuart commented that it would be too close to the intersection at Crawford Street and Phillips Street. The Chair pointed out that the dedication of the 3 metre daylighting triangle may have an impact on the location of driveway access. Member Dolan requested planning staff to explain the rationale for recommending denial of the requested rear yard setback on the severed lot. Carlissa McLaren, Manager of Planning (Acting), explained that the lot can accommodate a new single detached residential dwelling that would comply with all the setback requirements of the Zoning By-law without the need for a variance to the

rear yard setback. Member Thomson commented on the need for sufficient amenity space for both units. Member Lemieux asked what the parking requirement would be for a single detached dwelling with a second suite. Ms. McLaren advised the zoning by-law requires one parking space per unit therefore a minimum of two parking spaces would be required. Madeline Snow, Planner - Zoning, advised that the parking area located in the front yard of a property within the R2 zone cannot exceed 50% of the front yard and confirmed a maximum of two parking spots can be accommodated along the frontage of the severed parcel.

The Committee made a motion to approve the severance with conditions as outlined by staff, to approve the minor variance to recognize the deficient rear setback on the retained parcel, to approve the minor variance for the deficient lot area on the severed lot and made a motion to deny the minor variance to permit a deficient rear yard setback for a new single detached dwelling on the severed parcel.

DECISION:

The decision of the Committee is that Application B38/21 be granted with the conditions as outlined by staff.

**Motioned by: Jay Dolan, Member
Second: Andy Thomson, Member
CARRIED**

The decision of the Committee is that Application A63/21 be granted.

**Motioned by: Jay Dolan, Member
Second: Andy Thomson, Member
CARRIED**

The decision of the Committee is that the minor variance for the deficient lot area for the severed parcel for Application A64/21 be granted.

**Motioned by: Jay Dolan, Member
Second: Andy Thomson, Member
CARRIED**

The decision of the Committee is that the minor variance for the reduced rear yard setback for a proposed dwelling on the severed parcel for Application A64/21 be denied.

**Motioned by: Jay Dolan, Member
Second: Andy Thomson, Member
CARRIED**

6. OTHER BUSINESS

7. DATE OF NEXT MEETING

January 26, 2021, at 5:00 p.m.

8. ADJOURNMENT

The meeting was adjourned at 5:50 p.m.



Steve Trotter, Chair



Janice Sadgrove, Secretary-Treasurer