

July 25, 2024



COMMITTEE OF ADJUSTMENT

DATE: July 25, 2024

MEETING NO. 07-24

TIME: 2:00 p.m.

PLACE: Council Chambers * Electronic Participation using MS teams.

Andreas Petersen, Chair
Normand Roy, Member
Jodi Corbett, Member
Matthew Pascuzzo, Member

Adam Crago, Planner II
*Shannon Labelle, Acting Senior Planner
Fiona Buchan, Secretary-Treasurer
Jillian Fazio, Senior Planner
Decio Lopes, Supervisor
Zachary Mezzatesta, Assistant
Secretary-Treasurer
*Ryan Furtado, Engineering Department
Penny Turner, Development Services
Clerk – Minute Recorder

ABSENT: Member Rizzuto and Member Phillips provided regrets.

Chair Petersen outlined the procedure which the Committee would follow in dealing with applications, and then called for a poll of Disclosures of Interest. The Secretary Treasurer polled the Committee Members.

DISCLOSURE OF INTEREST: Members had no conflicts.

CONFIRMATION OF AGENDA: Moved by Member Corbett, Seconded by Member Pascuzzo. The majority of the members voted in favour of the Approval of the Agenda and therefore it was approved.

APPROVAL OF MINUTES: Minutes from June 25, 2024, were circulated to the Members prior to the meeting. Moved by Member Corbett to approve the minutes as presented and seconded by Member Pascuzzo. The majority voted in favour of the Minutes and therefore, it was approved.

APPLICATIONS

1. Application No.: **A-41-2024** Mark Kasper
512 Edward Street North

The Secretary-Treasurer provided an overview of the Minor Variance Application. Minor Variance application to increase the maximum Gross Floor Area (GFA) from 100m² to 111.5m². To increase the maximum wall height from 3.2 to 4.3m and increase the maximum height from 4.6m to 5.9m.

Applicant Mark Kasper participated in person, and confirmed the sign was posted. The applicant summarized that his application was to build a bigger garage.

COMMENTS:

The Secretary-Treasurer read correspondence noting that Tbaytel, Realty Services, Parks and Open Spaces, Engineering and Synergy North had no comments or

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concerns. Building Services commented to ensure the clearance from above ground electrical conductors complies with building codes.

Planner Crago presented Planning Comments, confirming that the four tests were met, the application is consistent with the Provincial Policy Statement and does not conflict with Growth Plan for Northern Ontario, the Official Plan or Zoning By-Law. Planning Services supports the application as presented.

Members had no questions.

Chair Petersen called for a vote on the approval of the application. All members were in favour. The majority of members have supported the approval of the application, and therefore the application was approved.

2. Application No. **A-42-2024** Cheadles LLP (Cody Fraser)
Carson Blackwood (Agent for Cody Fraser)
646 Hewitson Street

The Secretary-Treasurer provided an overview of the Minor Variance.
The Minor Variance application to reduce the minimum lot frontage from 20m to 14.38m.

The application was represented by Carson Blackwood from Cheadles LLP representing Apple Hewitson Holding Incorporated, he confirmed that the sign was posted.

COMMENTS:

The Secretary-Treasurer read the correspondence, Tbaytel, Building Services, Synergy North, Realty Services, Parks and Open Spaces and Engineering all had no comments or concerns.

Planner Fazio presented Planning Comments, confirming that the four tests were met, the application is consistent with the Provincial Policy Statement and does not conflict with the Growth Plan for Northern Ontario, the Official Plan or the Zoning By-Law. Planning Services supports the application as presented.

Members had no questions.

Chair Petersen called for a vote on the approval of the application. All members were in favour. The majority of members have supported the approval of the application and therefore the application was approved.

3. Application No. **A-45-2024** Richardo Velasquiz
370 Archibald Street North

The Secretary-Treasurer provided an overview of the Minor Variance.
Minor Variance application to increase the maximum height for an accessory building from 4.6m to 6.94m.

The applicant Richardo Velasquiz confirmed the signs were posted.

COMMENTS:

The Secretary-Treasurer read the correspondence, Tbaytel, Synergy North, Realty Services, Parks and Open Spaces, and Engineering all had no comments or concerns. Building Services commented to ensure that clearance from above ground electrical conductors complies with building codes.

Planner Labelle presented Planning Comments, confirming that the four tests were met, the application is consistent with Provincial Policy Statement and does not conflict with the Growth Plan for Northern Ontario, the Official Plan or the Zoning By-Law. Planning Services supports the application as presented.

Members had no questions.

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Chair Petersen called for a vote. All members were all in favour. The majority of members have supported the approval of the application and therefore the application was approved.

4. Application No. **A-48-2024**

Dale Gregory
2028 Donald Street East

The Secretary-Treasurer provided an overview of the Minor Variance. Minor Variance application to increase the maximum height for an accessory building from 4.6m to 5.5m and to increase the wall height from 3.2m to 3.9m.

The applicant Dale Gregory confirmed that the signs had been posted.

COMMENTS:

The Secretary-Treasurer read the correspondence, TbayTel, Synergy North, Realty Services, Parks and Open Spaces, and Engineering all had no comments or concerns. Building Services commented to ensure clearance from above ground electrical conductors complies with building codes.

The Secretary-Treasurer summarized seven emails from abutting neighbours and four phone calls with the same concerns of noise, traffic, fire hazards, building's overall height, road damage, economic decline status of the neighbourhood, environmental pollution, illegal home business, and children's safety.

Planner Crago presented Planning Comments, confirming that the four tests were met, the application is consistent with the Provincial Policy Statement, does not conflict with the Growth Plan for Northern Ontario, the Official Plan and Zoning By-Law. Planning Services supports the application as presented. Planner Crago also stated that industrial uses, motor vehicle mechanical services and body repairs are prohibited as home businesses on the subject property.

Member Corbett asked Planning Services if there had been any refused garages in the past and who looks into this and has concerns about building on the lot line for compliance issues. Planner Crago responded they were not aware of any refusals in the past and the lot line eaves and walls were all in compliance.

Member Corbett asked the applicant his plans for his garage, and did he have a safety plan in place. The applicant responded his garage was for personal use, and everything meets building codes standards and fire safety standards and polluting was illegal, only difference is height.

Chair Petersen asked about the height and a permit refusal. The applicant clarified he was aware of a permit refusal for a property at the end of his street, but he personally has not been refused a permit. He chose this height to accommodate his choice of construction method and building materials for his garage.

Chair Petersen called for a vote. All members were all in favour. The majority of members have supported the approval of the application and therefore the application was approved.

5. Application No.: **A-43-2024**

John Winter
1485 John Street Road

The Secretary-Treasurer provided an overview of the Minor Variance application and requested variances as follows: Decrease the minimum lot area from 4,173m² to 2,855m² for the retained parcel, and to decrease the minimum lot frontage from 64.9m to 44.2m for the retained parcel. To increase the maximum Gross Floor Area (GFA) from 180m² to 560m² for the retained parcel. Decrease the front setback from a minimum of 6m to 3.9m for the retained parcel.

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The applicant John Winter confirmed the signs had been posted. The applicant did not have any additional comments.

COMMENTS:

The Secretary-Treasurer read the correspondence, TbayTel, Building Services, Realty Services, Parks and Open Spaces, Engineering, and Synergy North, all had no comments or concerns.

Senior Planner Fazio presented the Planning Comments, confirming that the four tests were met, the application is consistent with the Provincial Policy Statement and does not conflict with the Growth Plan for Northern Ontario, the Official Plan or the Zoning By-Law. Planning Services supports approval of the application as presented.

Abutting neighbour summarized his concerns of the application property being lower than road level from neighbouring properties which would possibly have drainage and flooding issues and asked what type of easements would be built for the drainage issues. Chair Petersen stated that these issues would be addressed on the next application and would he like to come back to clarify when engineering speaks of these issues and speaker agreed.

Chair Petersen asked to Planning Services about the setbacks for Woodcrest Street and the width and entry for the back lands. Planner Fazio responded there are no plans yet for widening Woodcrest Street. The setbacks are standard width. Planning has no concerns.

Chair Petersen called for a vote on the approval the application. All members were in favour. The majority of members have supported the approval of the application and therefore the application was approved.

6. Application No.: **B- 44-2024**

John Winter
1485 John Street Road

The Secretary-Treasurer provided an overview of the Minor Variance application and requested variances as follows: To create one new parcel of land with lot frontage of 20.4m, lot depth of 64.6m and lot area of 1,317m². The retained lot would have lot frontage of 44.2m, lot depth of 64.6m and lot area of 2,855m².

The applicant John Winter confirmed the sign was posted.

COMMENTS:

The Secretary-Treasurer read the correspondence, Tbaytel, Building Services, Realty Services, and Hydro One had no comments.

Synergy North requires a 3m easement along the north and west street fronts and the east side would require an easement due to Synergy North's infrastructure to service 706 Woodcrest Road.

Parks and Open Spaces commented there would be a 5% Parkland Dedication in the form of Cash and Lieu as severance creates a new buildable lot, the street tree fee (not required at this time) will be included in the Deferred Services Agreement with Engineering and the retained lot will be under Site Control Plan.

Engineering Comments were presented by Engineer Furtado, the applicant is required to enter into an Agreement with the City for deferred payments for future urban improvements on right of way lands. Submit a lot grading and drainage plan and construct drainage facilities and dedicate easements, submit a Site Servicing Plan, deed a 2m strip of land to the Municipality and enter a Development Services Agreement with the City and a deferred services payment of \$43,282.

Planning Comments were presented by Planner Fazio, the application supports the creation of one new parcel and one retained. The application meets the provisions of the Provincial Policy Statement and the Official Plan. Planning Services recommends approval of this application with the following conditions: the approval of application A-

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43-2024, the applicant will need to submit to the Secretary-Treasurer a proper legal description of the land to be severed, payment for parkland fees for the severed lot, and the retained parcel is to be designed as an area of Site Control Plan.

Chair Petersen asks the previous speaker (objector) if he would like to speak to his concerns and the speaker declines.

Member Roy asked Engineering about the historical practice of the 2m deeded to the City for roads as land dedication, confirming it is still being continued? Engineer Furtado responded it is through Consents it is taken to meet the right of way widths through the Official Plan and Transportation Master Plan.

Chair Petersen asked Engineering about the future costs for the applicant. Engineer Furtado responded costs will be discussed with applicant for services. Chair Petersen asked what the future plans for Woodcrest Road are concerning right of way widths and traffic flow. Engineer Furtado responded there are no plans to widen the road as it meets the requirements for right of way at this time.

Chair Petersen asked the applicant to clarify his lot grading and drainage plans. Cory Stetchyson, Architect responded on behalf of the applicant. The Applicant consulted with civil and environmental engineers, plan on doing lot grading, site drainage design to meet the Site Plan Control requirements, build small retaining walls and easements, and use the parking lot and driveway to aid with drainage as they step down towards the rear of the property.

The Secretary Treasurer read the conditions. The applicant understands and agrees to the conditions.

Chair Petersen called for a vote on the approval of the application. All members were in favour. The majority of members have supported the approval of the application and therefore the application was approved.

7. Application No. **B-47-2024**

Garat Ahola
2490 Broadway Avenue

The Secretary-Treasurer provided an overview of the Minor Variance application and requested variances as follows:

To increase the lot frontage 9m and lot frontage as set forth in the application and severance to facilitate a lot addition from 2490 would be added to 2486 Broadway Avenue by 9m.

The applicant Garat Ahola confirmed the sign was posted. The applicant did not have any additional comments.

COMMENTS:

The Secretary-Treasurer read the correspondence, Tbaytel, Realty Services, Building Services, Parks and Open Spaces, and Hydro One all had no concerns or objections.

Synergy North commented primary overhead services for 2484 Broadway Avenue must not reside on the severed portion if it does then an easement is required.

Engineer Furtado presented Engineering Comments for 2486 and 2490 Broadway Avenue, these conditions are to locate the existing water service connection and have the location reviewed and if necessary, the approval of cross private service easements.

Planner Crago presented the Planning Comments and recommends the approval of the application as it is consistent with the Provincial Policy Statement, does not conflict with the Growth Plan for Northern Ontario, the Official Plan, and Zoning By-Law. Planning Services supports the application for approval with the following conditions:

The applicant shall submit to the Secretary-Treasurer a proper legal description of any easements and the lands to be severed including confirmation of the lot frontage, lot depth, lot area of the surveyed parcel, prepared by an Ontario Land Surveyor. That the

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parcel to be severed is conveyed to the registered owner of Lot 24 Part 1 and registered in the same name and interest and that section 50 (3) of the Planning Act R.S.O. 1990 shall apply to all subsequent conveyances and transactions.

Member Corbett asks Planning Services what is meant by Condition number two? Planner Crago responded the portion being added is registered in the same name and interest and is conveyed to that abutting.

Member Corbett asked the applicant who currently owns the property. The applicant responded that it is owned by someone else which he intends to purchase.

The Secretary-Treasurer read the conditions. The applicant understands and agrees to the conditions.

Chair Petersen called for a vote on the approval of the application. All members were in favour. The majority of members have supported the approval of the application and therefore the application was approved.

8. Application No. **B-46-2024**

Sally Colquhoun
278 Camelot Street/15 Royston Court

The Secretary-Treasurer provided an overview of the Consent application. The Consent application is to create one new parcel of land and to establish any easements as may be required for servicing as set forth in the application.

The applicant Sally Colquhoun, representing Lakeview Presbyterian Church, she confirmed the sign was posted.

COMMENTS:

The Secretary-Treasurer read the correspondence, Tbaytel, Realty Services, Building Services, Engineering, and Hydro One all had no comments or concerns. Parks and Open Spaces request that it be placed as Site Plan Control. Synergy North request a 3m easement along the street front.

Planner Crago presented the Planning Comments, the application is consistent with the Provincial Policy Statement, does not conflict with the Growth Plan for Northern Ontario, the Official Plan or the Zoning By-Law. Planning Services supports the applications for approval with the following conditions:

The applicant submits to the Secretary-Treasurer a proper legal description of the lands to be severed prepared by an Ontario Land Surveyor and subject property be designated as an area of Site Plan Control.

Members had no questions.

The Secretary- Treasurer read the conditions. The applicant received clarification from Planning Services about Site Plan Control and understood and agreed to conditions.

Chair Petersen called for a vote on the approval of the application. All members were in favour. The majority of members have supported the approval of the application and therefore the application was approved.

OLD BUSINESS

No old business.

NEW BUSINESS

Chair Petersen requested bringing Condition two from Application B-47-2024 as a topic for discussion. The Secretary-Treasurer read the Condition and suggested it be used as a training session topic in January.

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ADJOURNMENT

The meeting was adjourned at 3:55pm.

CHAIR

SECRETARY-TREASURER