



Minutes

Committee of Adjustment

April 22, 2025, 3:00 p.m.

City Hall - 808 2nd Avenue East - Council Chambers

MEMBERS PRESENT: Chair Brian Green
Vice Chair Gail McCartney
Member Markus Hawco
Member Tyler Hopkins (via video)

**MEMBERS
ABSENT/REGRETS:** Member Dinesh Shah

STAFF PRESENT: Sabine Robart, Manager of Planning and Heritage
Kevin Linthorne, Chief Building Official
Margaret Potter, Senior Planner
Matt Pierog, Engineering Technologist
Allison Penner, Deputy Clerk

1. CALL TO ORDER

Chair Green called the meeting to order at 3:00 p.m.

2. CALL FOR ADDITIONAL BUSINESS

There was no additional business.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. CONFIRMATION OF MINUTES

4.a Minutes of the Committee of Adjustment meeting held on March 25, 2025

CA-250422-001

Moved by Vice Chair McCartney

"THAT the minutes of the Committee of Adjustment meeting held on March 25, 2025 be approved as printed."

Carried.

5. CORRESPONDENCE RECEIVED FOR WHICH DIRECTION IS REQUIRED

There were no correspondence items presented for consideration.

6. ANNOUNCEMENT BY THE CHAIR

Please be advised that the *Planning Act* of Ontario indicates that if anyone other than the applicant or agent wishes to receive notice of the decision of the Committee of Adjustment, or in the event that the Committee defers its decision or notice of further proceedings respecting the application, such person or persons must leave their names and addresses in writing with the Secretary-Treasurer of the Committee prior to leaving the hearing.

In addition, only the applicant, the Minister or a specified person or public body that has an interest in the matter has the right to appeal the decision of the Committee of Adjustment within the defined appeal period. More information concerning how to appeal a decision of the Committee of Adjustment to the Ontario Land Tribunal may be obtained from the Community Services Department (Planning Division) in City Hall.

7. APPLICATIONS

7.a Application File No. A05-2025 for 2010 16th Street East

The Secretary-Treasurer provided an overview of application A05-2025, including property details and correspondence received.

The Manager of Planning and Heritage provided a summary of the staff report, including a description of the policy framework, an overview of the facts of the application, and a description of the proposed conditions of approval. Ms. Robart recommended that the application be approved subject to the conditions outlined in Schedule 'E' of Staff Report CS-25-040.

Chair Green inquired if the applicant or agent had any comments.

The applicant, Jonathan Pauk, Senior Planner at MORGAN Planning & Development was present virtually. Mr. Paul provided a PowerPoint presentation including an overview of the proposed development and site plan. Mr. Pauk advised that the proposed development is in compliance with the Zoning By-law, except for the reduced parking ratio. Mr. Pauk noted that a reduced level of parking is practical for the nature of the proposed use. Mr. Pauk advised that while adjacent woodland is designated as a significant woodland in the County Official Plan, it is the professional opinion of his consultant that the lot does not meet the criteria for that designation.

Chair Green inquired if there were any comments from members of the public. No members of the public were present to speak in support of or in opposition to the application.

Committee had no questions or requests for further information from staff.

"THAT in consideration of Staff Report respecting Minor Variance A05-2025 by MORGAN Planning & Development on behalf of the U-Haul Co. (Canada) Ltd. for the property known as 1990 20th Avenue East & 2010 16th Street East, the Committee of Adjustment approves the minor variance as amended, as the Committee concludes that the requested variance maintains the general intent and purpose of the City's Official Plan and Zoning By-law, is minor in nature, and desirable for the appropriate development and use of the lands, subject to the conditions outlined in Schedule 'E'."

Carried.

7.b Application File Nos. A06-2025 and B05-2025 for 2605 3rd Avenue West

The Secretary-Treasurer provided an overview of application A06-2025, including property details and correspondence received.

The Manager of Planning and Heritage provided a summary of the staff report, including a description of the policy framework, an overview of the facts of the application, and a description of the proposed conditions of approval. Ms. Robart recommended that the application be approved subject to the conditions outlined in Schedule 'E' of Staff Report CS-25-041.

Chair Green inquired if the applicant or agent had any comments. Applicant, David Moyer was in attendance and noted he has nothing further to add following the information provided by staff.

Chair Green inquired if there were any comments from members of the public. No members of the public were present to speak in support of or in opposition to the application.

Committee had no questions or requests for further information from staff.

"THAT in consideration of Staff Report respecting Minor Variance A06-2025 by David Moyer for the property known as 2605 3rd Avenue West, the Committee of Adjustment approves the minor variance, as amended, as the Committee concludes that the requested variance maintains the general intent and purpose of the City's Official Plan and Zoning By-law, is minor in nature, and desirable for the appropriate development and use of the lands, subject to the conditions outlined in Schedule 'E'."

Carried.

The Secretary-Treasurer provided an overview of application B05-2025, including property details and correspondence received.

The Manager of Planning and Heritage provided a summary of the staff report, including a description of the policy framework, an overview of the facts of the application, and a description of the proposed conditions of approval. Ms. Robart recommended that the application be approved subject to the conditions outlined in Schedule 'E' of Staff Report CS-25-043.

Chair Green inquired if the applicant or agent had any comments. Applicant David Moyer was in attendance and noted he has nothing further to add following the information provided by staff.

Chair Green inquired if there were any comments from members of the public. No members of the public were present to speak in support of or in opposition to the application.

Committee had no questions or requests for further information from staff.

CA-250422-004

Moved by Member Hawco

"THAT in consideration of Staff Report CS-25-043 respecting a consent for lot creation for the property known as 2605 3rd Avenue West, the Committee of Adjustment approves Consent Application B05-2025 by David Moyer subject to the conditions outlined in Schedule 'E'"

Carried.

7.c Application File No. A07-2025 for 1875 16th Avenue East

The Secretary-Treasurer provided an overview of application A07-2025, including property details and correspondence received.

The Manager of Planning and Heritage provided a summary of the staff report, including a description of the policy framework, an overview of the facts of the application, and a description of the proposed conditions of approval. Ms. Robart recommended that the application be approved subject to the conditions outlined in Schedule 'E' of Staff Report CS-25-042.

Chair Green inquired if the applicant or agent had any comments. Applicant Jonathan McCann, AECOM Canada ULC, was in attendance and noted that he had nothing further to add following the information provided by staff and that he was satisfied with the condition respecting the Accessibility for Ontarians with Disabilities Act.

In response to a question from the Committee, Mr. McCann described the design and functionality of the proposed permeable paving system.

Chair Green inquired if there were any comments from members of the public. No members of the public were present to speak in support of or in opposition to the application.

Committee had no further questions or requests for information from staff.

CA-250422-005

Moved by Member Hopkins

"THAT in consideration of Staff Report CS-25-042 respecting Minor Variance A07-2025 by AECOM Canada ULC on behalf of 1799 20th Street East Inc. (Markland Properties Management) for the properties known as 1875 16th Avenue East and 1929 20th Street East, the Committee of Adjustment approves the minor variance, as amended, as the Committee concludes that the requested variance maintains the general intent and purpose of the City's Official Plan and Zoning By-law, is minor in nature, and desirable for the appropriate development and use of the lands, subject to the conditions outlined in Schedule 'E'."

Carried.

7.d Staff Delegated Approval: Application File No. B06-2025 for 1875 16th Avenue East

The Manager of Planning and Heritage advised that the Planning Act and the City's Committee of Adjustment By-law allow municipal staff the opportunity to approve undisputed consent applications without having to go through a Committee of Adjustment hearing. Ms. Robart advised that an undisputed consent would be considered a consent that is technical in nature and meets the following criteria:

- is recommended for approval, with or without conditions, by City staff;
- has no unresolved objections or concerns raised during the commenting period from agencies or the public; and
- does not necessitate a minor variance or an amendment to the City's Zoning By-law in force at the time of the application.

Ms. Robart noted that for every undisputed consent the Director of Community Services, the applicant, or the applicant's agent is entitled to refer the item back to the Committee of Adjustment should they choose to. The Planning Act processes, like circulating notice of the application, giving notice of the decision, and the appeal period will continue as usual.

7.e Staff Delegated Approval: Application File No. B07-2025 for 855 4th Avenue 'A' West

The Manager of Planning and Heritage advised that this application is also an undisputed consent and therefore the subject of staff delegated approval per the criteria and processes outlined under Item 7.d.

8. CORRESPONDENCE PROVIDED FOR INFORMATION

8.a Delegated Approval for Undisputed Consent - Application File No. B03-2025 for 887-899 2nd Avenue East

8.b Delegated Approval for Undisputed Consent - Application File No. B04-2025 for 3195 East Bayshore Road

CA-250422-006

Moved by Vice Chair McCartney

"THAT in consideration of correspondence provided for information listed on the April 22, 2025 Committee of Adjustment agenda, the Committee of Adjustment receives Items 8.a and 8.b for information purposes."

Carried.

9. DISCUSSION OF ADDITIONAL BUSINESS

There was no additional business.

10. NEXT MEETING

The next regularly scheduled meeting is May 27, 2025.

11. ADJOURNMENT

The business contained on the agenda having been completed, Chair Green adjourned the meeting at 3:45 p.m.