



COMMITTEE OF ADJUSTMENT MEETING MINUTES

June 15, 2023, 6:00 p.m.

Members Present: Steve Bartolini, Margaret Louter, Angelo Miniaci, Eric Lehtinen,
Allan Killin

Members Absent: Paul Johnston

Staff Present: Mark Iamarino, Natalie Thomson

1. CALL TO ORDER

Chair Eric Lehtinen called the meeting to order and confirmed quorum at 6:00 p.m.

2. ADOPTION OF AGENDA

Moved by Margaret Louter that the agenda be adopted, as presented.

3. CONFLICT OF INTEREST

Angelo Miniaci declared an interest for Minor Variance Application A-17/23 287 Tanbark Road due to living in close proximity to the subject lands and being familiar with details regarding the application.

4. REQUEST FOR WITHDRAWAL OR ADJOURNMENT

There were no requests.

5. APPLICATIONS

5.1 Minor Variance Application A-09/23 – 1607 Four Mile Creek Road, CDS-23-138

Natalie Thomson summarized the notice.

Mark Iamarino summarized the staff report.

Michael Allen (agent) was present on behalf of the application. Michael explained the work that has been done to address amenity space since this application was last heard in April.

The Chair called on those registered to speak in support of the proposal. There was no one in the audience who wished to speak for the application.

The Chair called on those registered to speak against the application. There was no one in the audience who wished to speak against the application.

The Committee discussed the application in regards to the proposed amenity area and commented that the new proposal was a reasonable approach to move forward with.

Moved by: Steve Bartolini

that Minor Variance Application A-09/23, as amended, for 1607 Four Mile Creek Road be approved.

The following Committee members noted approval:

Angelo Miniaci

Steve Bartolini

Margaret Louter

Allan Killin

Eric Lehtinen

Decision: Granted.

Reasons: The Committee of Adjustment agrees with the minor variance report analysis and recommendation that this application meets the four Planning Act tests for minor variance:

1. The variance is minor in nature.
2. The variance is appropriate for the development of the land.
3. The general intent and purpose of the Zoning By-law is maintained.
4. The general intent and purpose of the Official Plan is maintained.

The Chair summarized the decision.

APPROVED

5.2 Minor Variance Application A-16/23 – 513 Gate Street, CDS-23-117

Natalie Thomson summarized the notice.

Mark Iamarino summarized the staff report.

Andrew Hellwig (agent) was present on behalf of the application. Andrew noted that the applicants acknowledge the merits set out in the staff report.

The Chair called on those registered to speak in support of the proposal. There was no one in the audience who wished to speak for the application.

The Chair called on those registered to speak against the application. There was no one in the audience who wished to speak against the application.

The Committee discussed the application.

Moved by: Angelo Miniaci

that Minor Variance Application A-16/23 for 513 Gate Street be approved.

The following Committee members noted approval:

Angelo Miniaci

Steve Bartolini

Margaret Louter

Allan Killin

Eric Lehtinen

Decision: Granted.

Reasons: The Committee of Adjustment agrees with the minor variance report analysis and recommendation that this application meets the four Planning Act tests for minor variance:

1. The variance is minor in nature.
2. The variance is appropriate for the development of the land.
3. The general intent and purpose of the Zoning By-law is maintained.

4. The general intent and purpose of the Official Plan is maintained.

The Chair summarized the decision.

APPROVED

5.3 Minor Variance Application A-17/23 – 287 Tanbark Road, CDS-23-118

Angelo Miniaci left the meeting due to his declared conflict.

Natalie Thomson summarized the notice.

Mark Iamarino summarized the staff report and noted the previous variance request that was refused. Mark noted 2 letters of support that were received from the public.

Ken and Dianne Lamb (homeowners) were present on behalf of the application. Ken spoke about the history of the project.

The Chair called on those registered to speak in support of the proposal. There was no one in the audience who wished to speak for the application.

The Chair called on those registered to speak against the application. There was no one in the audience who wished to speak against the application.

The Committee discussed the merits of the carport and staff spoke about Urban Design guidelines in St. Davids.

Moved by: Margaret Louter

that Minor Variance Application A-17/23 for 287 Tanbark Road be approved.

The following Committee members noted approval:

Steve Bartolini

Margaret Louter

Eric Lehtinen

Decision: Granted.

Reasons: The Committee of Adjustment agrees with the minor variance report analysis and recommendation that this application meets the four Planning Act tests for minor variance:

1. The variance is minor in nature.
2. The variance is appropriate for the development of the land.
3. The general intent and purpose of the Zoning By-law is maintained.
4. The general intent and purpose of the Official Plan is maintained.

The Chair summarized the decision.

APPROVED

5.4 Minor Variance Application A-18/23 – 5 Westwood Court, CDS-23-119

Angelo Miniaci rejoined the meeting.

Natalie Thomson summarized the notice.

Mark Iamarino summarized the staff report.

Joseph De Fillips (agent) was present on behalf of the application.

The Chair called on those registered to speak in support of the proposal.

There was no one in the audience who wished to speak for the application.

The Chair called on those registered to speak against the application.

There was no one in the audience who wished to speak against the application.

The Committee discussed the application and provided feedback on moving or reducing the warehouse footprint to confirm with the zoning requirements. Joseph De Fillips explained that the warehouse was a pre-fabricated building so the scale and footprint could not be reduced.

Moved by: Angelo Miniaci

that Minor Variance Application A-18/23 for 5 Westwood Court be approved.

The following Committee members noted approval:

Angelo Miniaci

Steve Bartolini

Margaret Louter

Allan Killin

Eric Lehtinen

Decision: Granted.

Reasons: The Committee of Adjustment agrees with the minor variance report analysis and recommendation that this application meets the four Planning Act tests for minor variance:

1. The variance is minor in nature.
2. The variance is appropriate for the development of the land.
3. The general intent and purpose of the Zoning By-law is maintained.
4. The general intent and purpose of the Official Plan is maintained.

The Chair summarized the decision.

APPROVED

6. MINUTES FOR APPROVAL

The May 18, 2023 minutes were approved by unanimous consent.

7. NEW BUSINESS

Committee members Allan Killin and Margaret Louter delivered a brief presentation about their experiences at the 2023 OACA Conference. Topics included:

- Legislative changes
- Legal Non-Conforming uses in Ontario
- Guidelines for chairing a meeting
- Ask an expert: Lawyer edition
- Changes to the Conservation Authorities Act and potential impacts to local decision-making
- Planning Act removal of third-party appeals
- Appeal process
- Committee decision notices and providing reasoning

8. NEXT MEETING DATE

Thursday, July 20, 2023 at 6:00pm.

9. ADJOURNMENT

The meeting was adjourned at 7:30pm.