



COMBINED COMMITTEES
Committee of Adjustment & Sign Variance Committee

Minutes of the Meeting of the Committee of Adjustment and Sign Variance Committee held on Thursday, May 9, 2019 in the Council Chambers of the Municipal Building.

Present: C. Tremblay, Chair
L. Ferris, Member
B. Jeffery, Member
G. Barber, Member
A. Philips, Member

Also Present: W. Crown, Director & Acting Secretary-Treasurer
A. Zhao, Planner
N. Murdock, Executive Assistant
R. Anderson, Planning Student

Regrets: None

1. OPEN MEETING

The Chair opened the meeting at 4:30 p.m. and read the introductory remarks respecting safety matters and respectful communication policies.

2. PECUNIARY INTEREST

The Chair asked if there were any Members that had a pecuniary interest in the Applications to which there were none declared.

3. MINUTES

The Minutes of the Committee of Adjustment held on Thursday, April 11, 2019, were reviewed and it was,

MOVED BY: Member Barber
SECONDED BY: Member Jeffery

That the Minutes of the Committee of Adjustment meeting held on Thursday, April 11, 2019, be adopted as circulated.

CARRIED

4. APPLICATIONS

A) Application A.6/2019
Sean Ainley, HGR Graham Partners, Agent
1014 King Street

At the request of the Chair, the Secretary-Treasurer described the lands and provided a

description of the subject Application. The Application was circulated to ratepayers within 60 metres of the subject lands and a Notice Sign was posted on the subject property in compliance with the *Planning Act*. The Notice of Public Hearing was also posted on the Town's website and Notice Monitor. The Secretary-Treasurer confirmed that the notice requirements of the *Planning Act* had been satisfied.

The following comments and/or reports were received:

- Director of Engineering, Water and Wastewater advised on April 30, 2019, that he had no comments.
- Director of Operations, Parks and Facilities advised on May 3, 2019, that he had no issues.
- Staff Planning Report PL-2019-34 dated April 30, 2019.

Attendance

David White, developer, advised he is in attendance to answer any questions, of which none were asked.

Volker Triebe, resident, confirmed he has no objections and supports the application.

Decision A.6/2019

Following a brief discussion of the application, the Committee then made the following Motion:

MOVED BY: Member Ferris

SECONDED BY: Member Jeffery

That the Committee of Adjustment hereby approves Minor Variance Application A.6/2019 respecting 1014 King Street for the following Variances:

- **To reduce the Minimum Lot Area from 4000 square metres to 2795.3 square metres**

CARRIED

Reasons:

The requested Variance is minor in nature, desirable and maintains the general intent and purpose of the Official Plan and Zoning By-law. The Application satisfies the four tests for Minor Variances as set out in Section 45 of the Planning Act.

Concurring in this Decision:

C. Tremblay, Chair
G. Barber, Member
L. Ferris, Member

B. Jeffery, Member
A. Philips, Member

B) Application A.8/2019
Jamie Robinson, MHBC Planning, Agent
1191 Harbourview Drive

At the request of the Chair, the Secretary-Treasurer described the lands and provided a description of the subject Application. The Application was circulated to ratepayers within 60 metres of the subject lands and a Notice Sign was posted on the subject property in compliance with the *Planning Act*. The Notice of Public Hearing was also posted on the Town's website and Notice Monitor. The Secretary-Treasurer confirmed that the notice requirements of the *Planning Act* had been satisfied.

The following comments and/or reports were received:

- Director of Engineering, Water and Wastewater advised on April 30, 2019, that the developer will be required to rebuild Marina Park Avenue to municipal standards to get an entrance permit.
- Director of Operations, Parks and Facilities advised on May 3, 2019, that There is currently a temporary trail across the property and upon development of the property, the developer is required to create a permanent trail on the east side.
- Email from Jamie Robinson, Agent for the applicant (Kaitlin Corp) on May 7, 2019 requesting a deferral of the application in order to work with Town staff to address the comments provided.
- Staff Planning Report PL-2019-35 dated April 30, 2019.

Attendance

None.

Decision A.8/2019

Following a brief discussion of the application, the Committee then made the following Motion:

MOVED BY: Member Barber
SECONDED BY: Member Jeffery

That Minor Variance Application A.8/2019 respecting the property at 1191 Harbourview Drive be deferred as set out in Staff Report PL-2019-35 dated April 30, 2019 and reconsidered following the submission of the requested studies.

CARRIED

Reasons:

The application has not provided enough information for a decision to be made as to whether it meets the four tests. Additional reports and studies are required to provide information as

part of the decision-making process.

Concurring in this Decision:

C. Tremblay, Chair
G. Barber, Member
L. Ferris, Member
B. Jeffery, Member
A. Philips, Member

**C) Application A.9/2019
Sean Ainley, HGR Graham Partners, Agent
619 Prospect Boulevard**

At the request of the Chair, the Secretary-Treasurer described the lands and provided a description of the subject Application. The Application was circulated to ratepayers within 60 metres of the subject lands and a Notice Sign was posted on the subject property in compliance with the *Planning Act*. The Notice of Public Hearing was also posted on the Town's website and Notice Monitor. The Secretary-Treasurer confirmed that the notice requirements of the *Planning Act* had been satisfied.

The following comments and/or reports were received:

- Director of Engineering, Water and Wastewater advised on April 30, 2019, that he had no comment.
- Director of Operations, Parks and Facilities advised on May 3, 2019, that he had no issues.
- Staff Planning Report PL-2019-36 dated May 1, 2019.

Attendance

David White, developer, advised he is in attendance. In response to a question from Committee he advised that the proposed pharmacy would not be a large-scale pharmacy and will only be approximately 2000 square feet. He further advised that current zoning did not permit the use of a pharmacy and that no further variances are anticipated to be requested as it meets all other aspects of the zoning by-law.

Decision A.9/2019

Following a brief discussion of the application, the Committee then made the following Motion:

MOVED BY: Member Barber
SECONDED BY: Member Ferris

That the Committee of Adjustment hereby approves Minor Variance Application A.9/2019 respecting 619 Prospect Boulevard for the following Variances:

- **A Variance to the Permitted Uses of the M1 zone to add Pharmacy as an additional permitted use**

Subject to the following conditions:

- 1. That the Applicant obtains Site Plan Approval within one (1) year of the date of Committee decision.**
- 2. That the Pharmacy use be limited to a maximum of 10% of the Gross Floor Area of the proposed buildings on the subject property.**

CARRIED

Reasons:

The requested Variance is minor in nature, desirable and maintains the general intent and purpose of the Official Plan and Zoning By-law. The Application satisfies the four tests for Minor Variances as set out in Section 45 of the Planning Act.

Concurring in this Decision:

C. Tremblay, Chair
G. Barber, Member
L. Ferris, Member
B. Jeffery, Member
A. Philips, Member

7. OTHER BUSINESS

A) Code of Conduct

This item was missed and will be added to a future Agenda.

8. ADJOURNMENT

On a Motion by Member Ferris the Committee Meeting was adjourned at 5:05 p.m.



Cindy Tremblay, Chair



Natalie Murdock
Secretary-Treasurer