

The Corporation of the Township of Tay
Committee of Adjustment Meeting Minutes

Wednesday, March 16, 2022
6:00 P.M.

Present: Chair Andy Ott
Member Michael Schuenemann
Member Heinrich Naumann

Regrets: Member Stephen Stone
Staff Present: Todd Weatherell, Manager of Planning and Development Services
Daryl O'Shea, General Manager, Corporate Services
Kathryn Beemer, Protective & Development Services
Administrative Assistant

1. Call to Order:

Chair A. Ott called the meeting to order at 6:00 p.m.

2. Adoption of the Agenda:

Moved by: Member Schuenemann
Seconded by: Member Naumann

That the Committee adopts the agenda as prepared.

Carried.

3. Declaration of Pecuniary Interest:

None declared.

4. Adoption of Minutes:

Moved by: Member Naumann
Seconded by: Member Schuenemann

That the minutes of the Committee of Adjustment Meeting held on February 16, 2022 be approved.

Carried.

5. Public Meeting

5.1. Minor Variance Application 2021-A-21, Tay Pharmacy (115 William St)

Attending

Applicant/Owner: Robert Laurin from RNL Management (Agent)

Written Comments Received at the Hearing:

None

Proponent:

None

Public Audience:

None

Committee Members:

T. Weatherell provided an overview of the application through a PowerPoint presentation.

R. Laurin spoke to the parking stating that the owner of Tay Pharmacy has made arrangements to lease five (5) parking spots from the Legion.

Member Naumann questioned next steps for securing parking spots if the Legion were to close and inquired if a condition should be put into place that five (5) additional private parking spots are to be found to replace those lost if the Legion were to close. T. Weatherell addressed the concerns by stating that based on the results of the traffic study performed only 8 spots are required. T. Weatherell also noted that there are municipal lands a block away should the need for parking arise. In regards to the condition it would be difficult to impose a condition that cannot be met. Member Schuenemann inquired if the Legion parking lot would have dedicated signage for the parking spots. R. Laurin stated that there would be signage posted identifying parking spots and times allotted for those parking spots and that staff would be using the designated parking spots. Chair Ott questioned the timing of the application and requested clarification as to why the parking requirements were not addressed when the pharmacy was built. T. Weatherell noted that application for minor variance on parking was due to the addition of ground floor area with the proposed addition. Parking requirements were previously met when the pharmacy was established.

DECISION:

The motion to approve the application was moved by the Committee.

Moved by: Member Schueneman
Seconded by: Chair Ott

Carried.

5.2. Minor Variance Application 2021-A-23 Iwona & Eugene Zabinski (288 Patterson Blvd.)

Attending

Owner/Agent: none

Comments Received before the Hearing:

None

Proponent:

None

Public Audience:

None

Committee Members:

T. Weatherell provided an overview of the application through a PowerPoint presentation. T. Weatherell requested a deferral for the application. The applicant is aware of the concerns of Planning and Operations staff and would like an opportunity to adjust the design to alleviate the concerns.

Member Ott inquired if there would be a fee to defer the application. T. Weatherell noted that generally there is a fee for recirculation however, since the applicant is looking to increase the setback there will not be any additional costs to the applicant.

The motion to defer the application was moved by the Committee.

Moved by: Member Schuenemann
Seconded by: Member Naumann

Carried.

5.3. Minor Variance Application 2022-A-03 MLRE Investments Inc (490 Armstrong St.)

Attending

Owner/Agent: Karla Taymayo – Innovate Planning Solutions (Agent)

Comments Received before the Hearing:

None

Proponent:

None

Public Audience:

None

Committee Members:

T. Weatherell provided an overview of the application through a PowerPoint presentation for minor variance 2022-A-03 and consent application 2022-B-02. The applications are related and were presented together.

K. Taymayo briefly spoke to the application and stated that the conditions have been reviewed with the homeowners and there are no concerns.

Member Naumann had no questions but recommended the homeowner reach out to the Township regarding potentially purchasing the laneway if they were interested. Member Schuenemann inquired if the existing shed would be demolished. K. Taymayo stated that the homeowners did not state their intention with the shed but that the shed would most likely be demolished or relocated and rebuilt. Chair Ott requested clarification regarding the commercial property that borders the laneway which borders with the subject lands. T. Weatherell addressed the concern stating there was no difference and that the standard setback condition applied. Chair Ott agreed that the laneway would provide an additional buffer.

The motion to approve the application was moved by the Committee.

Moved by: Member Schuenemann

Seconded by: Member Naumann

Carried.

5.4. Consent Application 2022-B-02 MLRE Investments Inc (490 Armstrong St.)

Review comments from 5.3.

The motion to approve the application was moved by the Committee.

Moved by: Member Schuenemann

Seconded by: Member Naumann

Carried.

5.5. Minor Variance Application 2022-A-04 Jennifer Nicole Noel (2770 Triple Bay Rd.)

Attending

Owner/Agent: Jennifer Nicole Noel (owner)

Comments Received before the Hearing:

None

Proponent:

None

Public Audience:

Alexander Gottlieb -2750 Triple Bay Rd.

T. Weatherell provided an overview of the application through a PowerPoint presentation.

J. Noel had no further comments to add to T. Weatherell's presentation.

A. Gottlieb inquired about the parking capacity and the septic capacity being adequate for the proposed use. T. Weatherell addressed the concern stating that the proposal was for a height relief for an accessory building. There are no proposed washrooms or bedrooms, human habitation is not a permitted use of the accessory building. Per the Township by-laws one (1) parking space is required for a single detached dwelling unit. Therefore there is adequate parking available. A. Gottlieb continued to express concerns regarding adequate parking requirements since parking is not available on Triple Bay Road. Chair Ott explained the function of the Committee of Adjustments and the merits the application was being reviewed. Parking infraction concerns can be addressed with the Township By-law Officers. J. Noel addressed A. Gottlieb's concerns explaining the purpose of the accessory building and parking concerns.

Chair Ott inquired about lot coverage due to the amount of sheds on the property. T. Weatherell addressed stating that there are no concerns with sheds on the property.

The motion to approve the application was moved by the Committee.

Moved by: Chair Ott

Seconded by: Member Naumann

Carried.

5.6. Consent Application 2022-B-01 Jurgis Kiskunas (10 Arbour Trail)

Attending

Owner/Agent: none

Comments Received before the Hearing:

None

Proponent:

None

Public Audience:

Greg Taylor – 14 Arbour Trail

Matt Owen – 5 Arbour Trail

T. Weatherell provided an overview of the application through a PowerPoint presentation.

G. Taylor inquired about future uses of the property due to concerns with drainage in the area. T. Weatherell addressed stating that the zoning of the property is shoreline residential and that lot grading would be required and reviewed during the building permit phase if the property owners chose to build. Chair Ott commented that the committee was only reviewing the application to merge the parcels of land. G. Taylor mentioned that he would like to be put in touch with property owners as he periodically maintains the lot and was looking for permission to enter; T. Weatherell stated that he would forward G. Taylor's information along and it was up to the property owner's if they would like to contact him.

M. Owen also inquired about future land use as he is also concerned with drainage issues in the area. Again, Chair Ott stated the purpose of the committee and the review process for the application. Chair Ott recommended that M. Owen and G. Taylor follow up with the Township regarding drainage concerns.

The committee members had no questions.

The motion to approve the application was moved by the Committee.

**Moved by: Member Naumann
Seconded by: Member Schuenemann**

Carried.

6. Decisions:

Digital signatures have been implemented for decisions.

7. Other Business:

T. Weatherell informed the committee that the Township had a new planning technician that would begin on March 28, 2022.

Chair Ott discussed concerns that committee members were experiencing with lack of internal comments from Township staff on applications. T. Weatherell addressed the concern stating that the CAO is aware and has spoken with department heads regarding providing comments, moving forward there should be more comments for committee members to review.

D. O'Shea informed committee members that council would be reviewing applications for a new committee member on March 23, 2022.

8. Next Meeting:

April 20, 2022

9. Adjournment:

**Moved by: Member Naumann
Seconded by: Member Schuenemann**

That this Meeting of the Committee of Adjustment adjourn at 7:18 p.m.

Carried.

Respectfully Submitted:

A. Ott, Chair

T. Weatherell, Secretary-Treasurer