

## **Region of Queens Municipality Variance Appeal Hearing Tuesday, April 13, 2021, 9:00 a.m.**

### **Minutes**

Present: Mayor Darlene Norman, Chair  
Deputy Mayor Kevin Muise  
Councillor Ralph Gidney  
Councillor Maddie Charlton  
Councillor Vicki Amirault  
Councillor Jack Fancy  
Councillor David Brown  
Councillor Carl Hawkes  
Chris McNeill, CAO  
Christine Watson, Admin. Assistant – Planning & Development

### **Call to Order**

Mayor Norman called the Variance Appeal Hearing to order at 9:00 a.m.

### **Opening Remarks**

Mayor Norman stated the purpose of the Variance Appeal Hearing is to provide the appellant, Colin O'Toole, with an opportunity to present an oral and/or written argument to Council of Region of Queens Municipality respecting the decision of its Development Officer to issue a variance to the owner of property identified as PID #70275094 and located at the rear of 87 Bristol Avenue in Liverpool, which would allow a reduction in lot area to facilitate 6 additional apartment units as set out in Section 6.33 of the Municipality's Land Use Bylaw.

Mayor Norman reviewed the procedures for the Hearing that was provided on the agenda.

Wendy Connors, Development Officer, reviewed the Variance Application stating that the current size of the property is 1.44 acres, which allows a 30-unit apartment on the property. The owner of the property would like to apply for the variance to reduce the minimum lot size in order to have more apartment units on the property, which would be 36 units.

Residents living within 100 feet of the property were notified of a variance being issued. The appeal process was laid out in the variance letter and was due within 14 days of receipt of the letter. The appeal process ended on March 25 with one appeal received.

### **Colin O'Toole, Appellant**

The appellant, Colin O'Toole, 103 Bristol Avenue, Liverpool, stated that the new development is in a high traffic area, i.e. close to Tim Hortons, grocery stores, liquor store, etc., and feels it will be more difficult getting out of Mersey Avenue. He stressed the issues around traffic is his main concern. Each apartment unit could have more than one car.

He understands that Liverpool needs housing, but doubted this would do anything for affordable housing.

He offered his opinion that a 3-way stop may help with the traffic but the installation of lights may be necessary.

He further stated there are small children getting on/off school buses in the area and suggested this be taken into consideration.

**Chris Markides – ZZAP Consulting Inc.**

Chris Markides, planner for ZZAP Consulting Inc., stated he was speaking on behalf of Fares and Co. Developments and Paul Skerry Architects as well. The subject site is off Bristol Avenue and is 43,000 square feet. It is in an R3 (Residential) Zone. The minimum lot area is 10,000 sq. /ft. for the first 4 dwelling units and then 1,500 sq. /ft. for each additional unit and meets the setback requirements and is in compliance with the Municipal Government Act. The maximum height is 50 feet with one parking space per unit.

Does the variance violate the intent of the Land Use Bylaw?

No. The MPS outlines the intent of the R3 zone. The lot is large and is an opportune location for addressing the demand for higher density housing while meeting other lot requirements.

Is the difficulty experienced in general to properties in the area?

No. Most of the surrounding properties are zoned R1 and lot sizes are smaller. The footprint of low-density homes in the surrounding area do not face the same issue of minimum lot coverage because the lots requirements are less than the R3 Zone.

Does the difficulty result from an intentional disregard for the requirements of the Land Use Bylaw?

No. No development has been conducted on the site. Therefore no difficulty has been experienced resulting from intentional disregard of the Land Use Bylaw.

In summary, the Development Application meets all other requirements under the Land Use Bylaw and the Development Officer did not err in approving the application.

**Colin O'Toole, Appellant**

The appellant, Colin O'Toole, restated his concern is not with the variance but with the issue of traffic and feels, it will create a big deal for residents in the area.

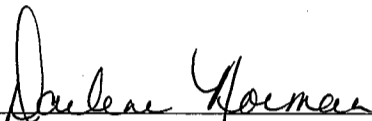
**Closing Remarks**

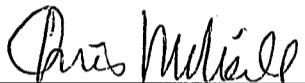
Mayor Norman thanked Mr. O'Toole and Mr. Markides for their comments and stated the issue will be discussed under Item 13.1 on the Council agenda.

She further stated if an increase in traffic becomes an issue, RQM does have the ability to deal with that issue through its traffic authority.

**Adjournment**

Mayor Norman declared the Variance Hearing adjourned at 9:15 a.m.

  
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Mayor Darlene Norman, Chair

  
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Chris McNeill, CAO

  
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Christine Watson, Administrative Assistant – Planning & Development

Date Approved: April 27, 2021