

Committee of Adjustment Fee Refund Request



Application Details

Application Number: B-9/23
Location: 516 Imperial Road North
Hearing Date: October 12, 2023
Owner: Hogg Fuel and Supply Ltd.
Agent: Chris Pidgeon, GSP Group

Request: Refund of deferral fee (total of \$423.00)

Staff Recommendation

Refusal

Staff Report

Background

On July 13, 2023, the Committee of Adjustment deferred consent application B-9/23. At that time, staff had identified in their comments that the existing commercial parking lot is not a permitted use. Staff recommended deferral to allow time for the applicant to meet with staff and provide information on how the applicant intended to meet the uses and regulations of the applicable Zoning By-laws. The application is set to return to the October 12, 2023 hearing.

Analysis

Section 69(2) of the Planning Act provides that a Committee of Adjustment may reduce the amount or waive the fee in respect of an application in circumstances where the Committee of Adjustment is satisfied that it would be unreasonable to require payment. In accordance with the Planning Act, and with Section 3 f) of the [Committee of Adjustment Fee Refund Policy](#), staff are presenting the refund request to the Committee for their consideration.

In the review of the application, staff required additional information in order to be in a position to support the application. As that information was not available in the application package, staff followed the proper process of requesting deferral so that information could be obtained. It is also unclear from the application whether the applicant consulted with Planning staff prior to submission of the application. While it is not mandatory, pre-consultation with staff prior is encouraged so that issues can be identified and addressed prior to submission of an application.

Staff is not supportive of a refund of the deferral fee related to consent file B-9/23 and recommend refusal of the refund request. The deferral fee is set so that costs

are received for the time and materials required to review, re-circulate and hold an additional hearing for applications that have been deferred.

Report Author

Trista Di Lullo, Secretary-Treasurer

Attachments

None

Contact Information

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