

2023-07-14



**MINOR VARIANCE APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 2**

**PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT**

Site Address: 614 Kesagami Lane  
Legal Description: Lot 160, Registered Plan 4M-1672  
File No.: D08-02-23/A-00121  
Report Date: July 14, 2023  
Hearing Date: July 18, 2023  
Planner: Siobhan Kelly  
Official Plan Designation: Suburban Transect, Neighbourhood  
Zoning: R4Z

**DEPARTMENT COMMENTS**

The Planning, Real Estate and Economic Development Department **requests an adjournment of the application.**

Staff note that there is a discrepancy in the application materials - the cover letter and public notice outline that the eaves will be 0.17 metres from the lot line, whereas the site plan details that it will be 0.07 metres from the lot line. Staff are unable to confirm that the relief sought is accurate as the applicant did not submit as-built plans showing the increased eave projection. Staff are also waiting to receive confirmation that the reduced distance between the eave and property line will not result in stormwater runoff onto the abutting property.

**DISCUSSION AND RATIONALE**

Due to a construction error where the detached dwelling was not constructed in accordance with the approved building permit, the applicant is seeking relief from the Zoning By-law. The Committee of Adjustment adjourned the application at the July 20, 2022, hearing to allow the applicant to provide a detailed site plan and apply for additional relief from the Zoning By-law.

Staff has no concerns with minor variance a) to legalize a reduced side yard setback of 0.53 metres. The intent of the minimum interior side yard setback is to maintain access to rear yards and ensure adequate separation from adjacent properties. Access to the rear yard is maintained through the eastern side yard that measures 1.2 metres. Staff

note that a revised building permit application is required to address implications with the Ontario Building Code. The Ontario Building Code requires special construction considerations where the distance between an exterior wall and lot line is less than 0.6 metres.



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Siobhan Kelly  
Planner I, Development Review, South  
Planning, Real Estate and Economic  
Development Department

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Planner III, Development Review, South  
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