

2023-09-14



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 2042 Vincent Street
Legal Description: Lot 1364, Registered Plan 697
File No.: D08-02-23/A-00198
Report Date: September 14, 2023
Hearing Date: September 19, 2023
Planner: Siobhan Kelly
Official Plan Designation: Outer Urban Transect, Neighbourhood
Zoning: Residential First Density Subzone O (RIO)

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has no concerns with** the application.

DISCUSSION AND RATIONALE

The Official Plan designates the subject property Neighbourhood in the Outer Urban Transect. The Official Plan provides policy direction that development in Neighbourhoods shall be low-rise and respond to context. The area is characterized by one-storey detached dwellings constructed in the 1960s, which are setback from the street with attached carports and detached garages. A notable feature of Vincent Street's streetscape is the mature trees planted at the same interval and close to the street. As proposed, the minor variances for a reduced front yard setback and interior side yard setback will facilitate the development of a one-storey addition and attached garage, compatible with existing developments in the area.

The property is zoned Residential First Density Subzone O (R1O). A purpose of the zone is to regulate development in a manner that is compatible with existing land use patterns so that the detached dwelling, residential character of a neighbourhood is maintained or enhanced.

Reduced Front Yard Setback

Staff have no concerns with the requested variance to permit a reduced front yard setback of 5.25 metres, whereas the Zoning By-law requires 6 metres. The intent of the front yard setback is to establish a consistent built form and to ensure that there is appropriate separation from the street. As proposed, the front yard setback is comparable to existing front yard setbacks and will not have a negative impact on the established streetscape on Vincent Street. As proposed, the

front yard exceeds the minimum soft landscaped area requirement – approximately. 71% of the front yard is provided as soft landscaping, whereas 40% is required by the Zoning By-law.

Reduced Interior Side Yard Setback

Staff have no concerns with the requested variance to permit a reduced interior side yard setback of 0.6 metre. The Zoning By-law prescribes a minimum total side yard setback of 3 metres, with one yard no less than 1.2 metres. The intent of the minimum interior side yard setback is to provide access to rear yards and appropriate separation from adjacent properties. As proposed, the northern side yard setback is 0.6 metres, and the southern side yard setback is 1.8 metres. Staff are satisfied that the variance meets the intent of the Zoning By-law as access to the rear yard is maintained through the garage and south side yard. Based on a review of available aerial imagery for Vincent Street, it is apparent that other properties feature smaller side yard setbacks on one side of the dwelling, which is consistent with the requested relief. As such, staff are satisfied that the variance is minor as it will not result in adverse impacts to the streetscape or adjacent properties.

Based on the foregoing, staff are satisfied that the proposed minor variances meet the four tests outlined in Section 45(1) of the *Planning Act*, R.S.O, 1990, c.P.13, as amended.

ADDITIONAL COMMENTS

Planning Forestry

Planning Forestry staff waived the requirement for a Tree Information Report (TIR) as there are no trees impacted by the proposed variances. Please note that protected trees on and adjacent to the site must be protected in accordance with the City's Tree Protection Specifications during construction.

Right of Way Management

The applicant noted that the existing driveway will remain. Please note that any changes to the private approach requires a private approach permit.



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



Stream Shen, RPP, MCIP
Planner III, Development Review, South
Planning, Real Estate and Economic
Development Department