

2023-10-26



**MINOR VARIANCE APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 1**

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 272 Powell Avenue
Legal Description: Lot 93, Registered Plan 4M-20
File No.: D08-02-23/A-00074
Report Date: October 16, 2023
Hearing Date: November 1, 2023
Planner: Basma Alkhatib
Official Plan Designation: Inner Urban Transect, Neighbourhood Overlay
Zoning: R3P (Residential third density, subzone P)

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

Staff are satisfied that the requested minor variances meet the “four tests” as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended.

The subject site is within the Inner Urban Transect Policy Area on Schedule A and Neighbourhood designated on Schedule B2 in the Official Plan. The aimed pattern of development in the Inner Urban Transect is urban, exhibiting the characteristics outlined in Table 6 of the Official Plan. This pattern includes a minimum of two functional storeys, attached buildings and small areas of formal landscape and a range of lot sizes that will include smaller lots, and higher lot coverage and floor area ratios. Also, Neighbourhoods are anticipated to maintain their low-rise nature unless otherwise stated in the Zoning By-laws or applicable Secondary Plans.

The Department has **no concerns** about the applicant’s request because the requested reduction to the rear yard area is a natural result to the rear yard setback reduction that was granted by the Committee of Adjustment on May 9. And the proposal will not add any new impact to the surrounding context.

ADDITIONAL COMMENTS

Infrastructure Engineering

1. The **Planning, Real Estate and Economic Development Department** will do a complete review of grading and servicing during the building permit process.
2. All trees on City property and private trees greater than 30cm in diameter in the inner urban area are protected under the Tree Protection By-law (2020-340), and plans are to be developed to allow for their retention and long-term survival. A Tree Removal Permit and compensation are required for the removal of any protected tree.
3. The surface storm water runoff including the roof water must be self-contained and directed to the City Right-of-Way, not onto abutting private properties as approved by **Planning, Real Estate and Economic Development Department**.
4. Existing grading and drainage patterns must not be altered.
5. Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).

Planning Forestry

Through pre-consultation it was determined that there are no existing protected trees in the vicinity of the proposed sunroom. As such, there are no tree-related concerns with the requested reduced rear yard setback. It is strongly recommended to plant 1 new 50mm tree in the Right of Way to improve the streetscape and canopy cover; an application may be made to the City's Trees in Trust program for a tree to be planted at no cost to the applicant.

Right of Way Management

The Right-of-Way Management Department **has no concerns** with the proposed Minor Variance Application as there are no requested changes to the private approach/driveway.



Basma Alkhatib

Planner I, Development Review, Central Planning, Real Estate and Economic Development Department



Erin O'Connell, RPP, MCIP

Planner III, Development Review, Central Planning, Real Estate and Economic Development Department