

2024-02-01



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 288 Clemow Avenue
Legal Description: Lot 71 (South Clemow Avenue), Registered Plan M-11
File No.: D08-02-23/A-00306
Report Date: February 1, 2024
Hearing Date: February 7, 2024
Planner: Margot Linker
Official Plan Designation: Inner Urban Transect, Neighbourhood
Zoning: R1MM H(10) (Residential First Density, Subzone MM,
Maximum Building Height 10 Metres)

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

Staff have reviewed the subject minor variance application against 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 located within the Inner Urban Transect and designated Neighbourhood in Schedules A and B2 in the Official Plan. It is also located within the Clemow-Monkland Driveway and Linden Terrace Heritage Conservation District (“HCD”). The intent of this area is to ensure the retention and conservation of the cultural heritage value and attributes and that new construction, additions and alterations with the District conserve the value particularly with respect to the public realm, historic scale, and general pattern of the built form.

The site is zoned R1MM H(10) (Residential First Density, Subzone MM, Maximum Building Height 10 Metres), which restricts the building form to detached dwellings.

Staff have no concerns with the proposed addition. The addition is concentrated towards the centre of the site, 4 metres from the side lot line, minimizing privacy impacts. It also appears that within the immediate vicinity, 292 and 290 Clemow have shallower rear yards.

The addition appears to be proposed generally where a deck exists today. The 0.6 metre distance between the garage and addition is where the corners of the buildings face each other rather than being a wall-to-wall condition, ensuring sufficient space for maneuverability will be maintained. Both side yards are also large enough for access.

ADDITIONAL COMMENTS

Heritage Planning Branch

The property at 288 Clemow is a contributing property designated under Part V of the *Ontario Heritage Act* located in the Clemow-Monkland Driveway and Linden Terrace Heritage Conservation District (HCD).

Heritage Staff are aware of the proposed addition at the rear and are in process of issuing a heritage permit for the alterations. As part of the review, staff determined that the proposed alterations do not negatively impact the character of the HCD as it is not directly visible from the street. Heritage Staff believe that the proposal meets the relevant policies and guidelines in the HCD Plan.

Infrastructure Engineering

1. **Planning, Real Estate and Economic Development Department** will do a complete review of grading and servicing during the building permit process.
2. 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**.
3. Existing grading and drainage patterns must not be altered.

Planning Forestry

The Tree Information Report indicates that the existing protected tree in the rear yard will not be impacted by the proposed addition or the related variances due to the existing retaining wall limiting its rooting area. This tree, as well as those in the Right of Way (not shown in the TIR) must be protected in accordance with the City's Tree Protection Specifications throughout construction. There are no tree-related concerns with the proposed variances.



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