

2023-12-07



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address:	82 Third Avenue
Legal Description:	Part of Lot 28 (South Third Avenue), Registered Plan 35085
File No.:	D08-02-23/A-00261
Report Date:	December 7, 2023
Hearing Date:	December 13, 2023
Planner:	Margot Linker
Official Plan Designation:	Inner Urban Transect, Neighbourhood, Evolving Overlay
Zoning:	R3Q [1474] (Residential Third Density, Subzone Q, Exception 1474)

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 located within the Inner Urban Transect and designated Neighbourhood within the Evolving Overlay on Schedules A and B2 in the Official Plan. Section 4.2.1(3) encourages enabling greater flexibility and an adequate supply and diversity of housing options, including recognizing coach houses as contributing to the housing stock. This section states that Minor Variances with respect to coach houses will need to have regard for demonstrating that privacy of adjoining properties is maintained, siting and scale of the coach house does not negatively impact abutting properties, and distinctive trees and plantings are preserved.

The R3Q[1474] (Residential Third Density, Subzone Q, Urban Exception 1474) zone permits a mix of residential building forms ranging from detached to townhouse dwellings.

Staff have no concerns with the requested increased building height for the coach house. The structure exists today as a detached garage and staff understand that the envelope will not be changing, so it does not appear that there will be massing impacts on the

surrounding properties or resulting loss of vegetation. The elevations demonstrate that there will be no windows facing the east, south or west lot lines, so there also will not be privacy impacts on the abutting properties.

The applicant has updated the plans at staff's request to demonstrate that 15% of the rear yard will be reinstated with soft landscaping.

Staff have encouraged the applicant to contact a building official to ensure that the proposed coach house complies with the Ontario Building Code requirements that are not necessarily caught under the Zoning By-law, such as separation requirements. In addition, staff encourage the applicant to ensure that the existing space on the property is enough to walk to the coach house without being obstructed by vehicular parking.



Margot Linker

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