

2024-04-11



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 53 Sweetland Avenue
Legal Description: Lot 9, Registered Plan 14349
File No.: D08-02-24/A-00065
Report Date: April 11, 2024
Hearing Date: April 17, 2024
Planner: Margot Linker
Official Plan Designation: Downtown Core, Neighbourhood
Zoning: R4UD

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 zoned Residential Fourth Density, Subzone UD (R4UD) and is within the Downtown Core Transect and designated Neighbourhood within the Official Plan. This area is generally planned for higher density development following an urban character, with new development having regard for local context and existing development.

Staff have no concerns with the proposed variances to facilitate the proposed addition. There is currently a large one-storey structure in the rear yard with a roof deck and a connecting bridge which is proposed to be demolished. The proposed addition will have a similar impact on the abutting properties as what currently exists today. The development will retain a softly landscaped interior yard, which appears large enough for outdoor amenity and tree planting.

The rooftop terrace will have a 1.5m opaque screen and will be set back 1.5 metres from the north and east lot lines to prevent privacy issues. To the south, the terrace will not be facing an abutting rear amenity space. Staff have no concerns that the internal-facing railings are not opaque as this will not impact abutting properties.

Heritage Planning Branch

53 Sweetland is designated under Part V of the *Ontario Heritage Act* as part of the Sweetland Avenue Heritage Conservation District (HCD). 53 Sweetland Avenue was evaluated as a Category 2 and determined to be a property that contributes to the cultural heritage value of the district.

The Sweetland Avenue HCD Plan aims to provide clear guidance on how to protect and conserve the cultural heritage value of the HCD. Section 4.4, Guidelines for Category 1, 2 and 3 Buildings ensures that proposals for additions and new multiple units meet the objectives of the HCD Plan.

Heritage Planning staff reviewed the application and found that it generally respects the policies and guidelines in Section 4.4 of the HCD Plan. If the variances are granted, the *Ontario Heritage Act* and the HCD Plan require the applicant to obtain a heritage permit prior to undertaking alterations at the property.

Infrastructure Engineering


- The Planning, Real Estate and Economic Development Department will do a complete review of grading and servicing during the building permit process.
- Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
- 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.
- Existing grading and drainage patterns must not be altered.

Planning Forestry

There are no impacts to distinctive trees associated with the requested variances. The City's tree protection specifications must be implemented as outlined in the TIR to prevent injury to the retained trees during construction.



Margot Linker
Planner I, Development Review All Wards
Planning, Real Estate and Economic
Development Department



Erin O'Connell
Planner III, Development Review All Wards
Planning, Real Estate and Economic
Development Department