

2024-10-31



PERMISSION APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 1

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 448 Bronson Avenue
Legal Description: Part of Lot 138, All of Lots 139 & 140, Registered Plan 3459
File No.: D08-02-23/A-00248
Report Date: October 31, 2024
Hearing Date: November 6, 2024
Planner: Penelope Horn
Official Plan Designation: Downtown Core Transect, Neighborhood, Evolving
Neighbourhood Overlay
Zoning: TM

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

The *Planning Act* subsection 45 (2) (a) permits the Committee to grant permission to either (i) “enlarge or extend” a legal non-conforming building, structure or (ii) change the legal non-conforming use of the land, building or structure to a similar and equally- or more-compatible use.

When considering an application under s. 45(2)(a)(i) to expand/extend a legally non-conforming use, the Committee should consider if the proposal is desirable for the appropriate development or use of the land, building or structure. The effect of any expansion made must always be weighed against the impact it could have upon neighbouring properties enjoying a different land use classification.

In this scenario, permission is being sought to extend the legal non-conforming building. The expansion would be used for indoor storage, no negative impacts to the adjacent residential uses are expected as a result of the proposed indoor storage.

ADDITIONAL COMMENTS

Building Code Services

With respect to this application, based on the plans filed, there is a rear door that may be considered an exit. The addition being proposed appears to restrict access to the rear portion of the property and as a result restricting a possible exit requiring a path of travel from the door to a public throughfare. The number of exits and travel distance must be evaluated required for the building.

Infrastructure Engineering

The Planning, Development and Building Services Department will do a complete review of grading and servicing during the building permit process.

At the time of building permit application, a grading/servicing plan prepared by a Professional Engineer, Ontario Land surveyor or a Certified Engineering Technologist may be required.

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, Development and Building Services Department.**

Existing grading and drainage patterns must not be altered.

Planning Forestry

The TIR does not currently provide sufficient detail, but through discussions with the applicant the arborist has confirmed that the proposed rear storage area is not expected to impact the adjacent tree due to the use of helical piles and porous surfacing. A revised TIR will be provided prior to the hearing. There are no tree-related concerns with the proposed additions provided that all tree protection measures are employed throughout construction.



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