

2024-11-14



MINOR VARIANCE & PERMISSION APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 2

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 1618 Botsford Street  
Legal Description: Lot 953, Registered Plan 665  
File No.: D08-02-24/A-00273  
Report Date: November 14, 2024  
Hearing Date: November 19, 2024  
Planner: Elizabeth King  
Official Plan Designation: Outer Urban Transect, Neighbourhood  
Zoning: R1O

**DEPARTMENT COMMENTS**

The Planning, Development and Building Services Department **requests an adjournment** of the application due additional variances required.

**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.

Staff are requesting an adjournment as additional potential variances were identified in the review for reduced rear yard landscaping and increased hardscaping. Staff also have concerns that a permission application is not the correct application for Shed #4 as storage lockers are not considered permitted projections and minor variances instead should be sought to reduced setbacks of the interior yard and between buildings/structures. Additionally, since no building permits were submitted with the accessory structures, Staff require a grading plan for review due to proximity of the structures on the property lines.

Staff will also note that the home-based business is restricted to 34% of the gross floor area of the residential dwelling as approved by the Ontario Land Tribunal, and it was noted in the decision that business activities in the backyard have ceased. If this has subsequently changed, additional variances may be required.

**ADDITIONAL COMMENTS**

## 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 will be required.
- Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
- 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.
- 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.
- Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).

## Planning Forestry

There are no tree-related impacts associated with the requested variance. Existing trees on and adjacent to the site must be protected from future impacts by implementing the [Tree Protection Specifications](#), to prevent encroachment into their Critical Root Zones.

## CONDITIONS:

If approved, the Planning, Development, and Building Services Department requests that the Committee of Adjustment impose the following conditions on the applications:

1. A grading plan would be required if the accessory structures were built with no building permit.

*Elizabeth King*

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Elizabeth King  
Planner I, Development Review All Wards  
  
Planning, Development and Building  
Services Department

*Wendy Tse*

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Wendy Tse  
Planner III (A), Development Review All  
Wards  
Planning, Development and Building  
Services Department