

2024-12-05



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 235 Bay Street
Legal Description: Lots 13 & 14, Registered Plan 2996
File No.: D08-02-24/A-00279
Report Date: December 5, 2024
Hearing Date: December 11, 2024
Planner: Penelope Horn
Official Plan Designation: Downtown Core Transect, Hub, Evolving Overlay
Zoning: R5Q H(64)

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. Staff are satisfied that the requested minor variances meet the “four tests”. The proposed reduced setbacks will allow the applicant to use the existing foundation of the parking ramp, minimizing disruptions to the surrounding area.

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 may be required.
- 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.

Right of Way Management

The Right-of-Way Management Department has no **concerns** with the proposed minor variance application for the construction of a new enclosure with reduced corner or rear ride setbacks over the existing ramp leading to the underground parking garage. There is no modification to the private approach and there is no apparent encroachment of the new enclosure. Note the new enclosed entrance is not permitted to extend into the City's right of way on the Gloucester street frontage. However, the Owner shall be made aware that should the entrance be modified in any way, a Private Approach Permit is required.



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