

2025-01-30



**CONSENT APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 1**

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 328 MacKay Street
Legal Description: Part of Lots 1 & 2, Registered Plan 98806
File No.: D08-01-24/B-00255
Report Date: January 31, 2025
Hearing Date: February 5, 2025
Planner: Elizabeth King
Official Plan Designation: Inner Urban Transect, Neighbourhood
Zoning: R4UD, Mature Neighbourhood Overlay

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **has no concerns with** the application.

DISCUSSION AND RATIONALE

Section 53 (12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, permits the criteria for the subdivision of land listed in Section 51 (24) to be considered when determining whether provisional consent may be granted by a committee of adjustment. With respect to the criteria listed in Section 51 (24), staff have no concerns with the proposed consent as 328 MacKay and 330 MacKay merged due ownership and there are no proposed alterations to the existing dwellings.

ADDITIONAL COMMENTS

Planning Forestry

There are no tree-related impacts associated with the requested severance.

CONDITIONS

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

1. That the Owner(s) satisfy the Chief Building Official, or designate, by providing design drawings or other documentation prepared by a qualified designer, that as a result of the proposed severance to the existing detached dwellings shall comply with the Ontario Building Code, O. Reg. 332/12 as amended, in regard to the limiting distance along the westerly and easterly side of the proposed property line. If necessary, a building permit shall be obtained from Building Code Services for any required alterations.
2. That the Owner(s) provide evidence to the satisfaction of both the Chief Building Official and Development Review Manager, Planning, Development and Building Services Department, or designates, that both severed and retained parcels have their own independent water, sanitary and storm connection as appropriate, and that these services do not cross the proposed severance line and are connected directly to City infrastructure. Further, the Owner(s) shall comply to 7.1.5.4(1) of the Ontario Building Code, O. Reg. 332/12 as amended. If necessary, a plumbing permit shall be obtained from Building Code Services for any required alterations.



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



Erin O'Connell
Planner III, Development Review All Wards
Planning, Development and Building
Services Department