

2025-06-12



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 531 Gilmour Street
Legal Description: Part of Lot 23, North Side of Gilmour Street, Registered Plan 27904
File No.: D08-02-25/A-00133
Report Date: June 12, 2025
Hearing Date: June 18, 2025
Planner: Dylan Geldart
Official Plan Designation: Downtown Core Transect, Neighborhood Designation, Evolving Neighborhood Overlay, Central and East Downtown Core Secondary Plan
Zoning: R4UD [733]

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **has some 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 the requested minor variance meets the “four tests”.

It has been identified through the interdepartmental review period that the front yard area has been modified with hard landscaping elements (i.e. paver stones), which may not comply with the minimum soft landscaping requirements under Section 139 of the Zoning By-law. If there is non-compliance, Staff are recommending the front yard be reinstated with soft landscaping in conformity with the Zoning By-law. Alternatively and if required, the applicant may wish to submit a separate minor variance application to permit the existing hard landscaping in the front yard.

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.
- 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.
- Infrastructure Services Department expects the applicant to work together to provide SWM best management practices to reduce and mitigate impacts of development at the time of grading & drainage review.

Planning Forestry

There are no tree-related concerns with the proposed addition at the rear of the property.

However, a site visit determined the pavers and planter boxes installed in the Right of Way surrounding the City tree do not meet City guidelines (e.g the Use and Care of Roads By-law). The pavers and planters have reduced the available soil volume for the City tree much below the recommended amount of 20m², and the planters must be set a minimum of 1m from the trunk on all sides.

Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed Minor Variance Application. As there are no changes proposed to the existing private approach accesses, no private approach permits are required.

However, please note that alterations made to the City's right-of-way appear to be non-compliant with the Use and Care of Roads By-law. Specifically, the raised garden bed must be set back a minimum of 0.6 m from the sidewalk, maintain a 1.0 m setback from the municipally owned tree, and not exceed a maximum height of 45 cm.



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