



Report Committee of Adjustment

Filing Date: August 18, 2021
Hearing Date: September 14, 2021
File: A-2021-0196
**Owner/
Applicant:** Investors Group Trust Co. Ltd
Address: 2 & 4 Hanover Road
Ward: WARD 7
Contact: François Hémon-Morneau, Planner I

Recommendations:

That application A-2021-0196 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
 2. That the owner finalize site plan approval under City File SPA-2020-0149, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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Background:

Existing Zoning:

The property is zoned 'Residential Apartment A (R4A(3)-253)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit an exterior side yard setback of 10.0m (32.80 ft.) to a hydro transformer whereas the by-law requires a minimum exterior side yard setback of 16.0m (52.50 ft.).

Current Situation:

1. Maintains the General Intent and Purpose of the Official Plan

The property is designated 'Central Area' in the Official Plan and 'High Density Residential' in the Queen Street Corridor Secondary Plan (Area 36). The requested variance to reduce exterior side yard setbacks for a hydro transformer has no impact within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent and purpose of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The variance is requested permit an exterior side yard setback of 10.0m (32.80 ft.) to a hydro transformer whereas the by-law requires a minimum exterior side yard setback of 16.0m (52.50 ft.). The intent of the by-law in regulating the minimum exterior side yard setback is to ensure that adequate separation exists between the buildings or structures and the public right-of-way.

In this case, the transformer is proposed to be located 10.0m (32.80 ft.) from Central Park Drive and within the required exterior side yard setback of 16.0m (52.50 ft.), as measured from Central Park Drive. The location of the hydro transformer is not anticipated to negatively impact the functionality of the site or generate adverse visual impacts off-site. Furthermore, the transformer is proposed to be adequately screened with landscaping to minimize potential visual impacts. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The proposed transformer is 3.34 sq. m (35.95 sq. ft.) in area and 1.8m (5.90 ft.) in height and will be screened with landscaping on all sides. The transformer will provide power to the two rental apartment buildings on site. A condition of approval is recommended that the owner finalize site plan approval under City File SPA-2020-0149, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services. Subject to the recommended conditions of approval, the location of the hydro transformer is not expected to generate negative impacts on-site or off-site. The variance is considered desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance seeks permission to allow the transformer to be located within 10.0m from Central Park Drive which is not expected to negatively impact the functionality of the site or generate adverse impacts off-site. Subject to the recommended conditions of approval, the variance is minor in nature.

Respectfully Submitted,

François Hémon-Morneau

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