

NOTICE OF MOTION

WHERE AS Zoning By-law amendment application OZ 16/005 W8 at 3355 The Collegeway was approved by the LPAT on May 22, 2019 and the corresponding site specific Zoning By-law was implemented by LPAT order on March 17, 2020,

AND WHERE AS staff are currently processing Site Plan file SP 19/018 W8 and a technical minor variance has been identified in the review of the application concerning rooftop patio setbacks,

AND WHERE AS section 45(1.4) of the *Planning Act* provides Council the ability to allow the property owner to make a minor variance application within the two year time frame by way of resolution notwithstanding the two year moratorium on minor variances as a result of section 45(1.3) of the *Planning Act*;

AND WHERE AS in the opinion of Council it is appropriate that allowing the property owner of the lands at 3355 The Collegeway the ability to make a minor variance application within the two year time frame is supportable in this instance as the nature of the required variance will maintain consistency with the principal features of the site specific Zoning Bylaw and is of a technical nature,

THEREFORE IT BE RESOLVED that

1. The "3355 The Collegeway G.P." is hereby permitted to file a minor variance application to Zoning Bylaw 0225-2007, in respect of the lands municipally known as 3355 The Collegeway notwithstanding the two year moratorium on such applications under the *Planning Act*, provided that such minor variance application shall not be for height and density.

Councillor Matt Mahoney

