



**PLANNING AND GROWTH MANAGEMENT DEPARTMENT
COMMENTS TO THE COMMITTEE OF ADJUSTMENT**

Panel 2

**To: Secretary-Treasurer
Committee of Adjustment**

Prepared By: Natalie Persaud

Date: October 10, 2012

Hearing Date: October 17, 2012

Committee of Adjustment Application Number(s): D08-02-12/A-00339

Property Description: 119 Hawthorne Avenue

Background

The applicant proposes to rebuild a three-unit dwelling which was damaged by fire. In order to do this, the applicant has requested the Authority of the Committee of Adjustment for Minor Variances to permit a reduced lot width, lot area, front yard setback, and easterly side yard setback, as referenced on the notice.

Planning and Growth Management Department Comments

The Planning and Growth Management Department **has concerns** regarding this application.

The proposal is identified as renovations to an existing building, however, plans provided to the Department for the purpose of a building permit show that only the interior side walls are to be retained, and interior floors, rear and front walls to be removed. This is demonstrative of new construction, therefore the provisions of By-law No. 2012-147, 'low-rise infill residential development in mature neighbourhoods' apply. In this regard, the application lacks information required to verify compliance with all provisions of this Bylaw.

The Planning and Growth Management also wishes to convey to the applicant that there is a 45cm and 49cm diameter Sugar Maple located on the right of way along Hawthorne Avenue, directly in front of the existing dwelling, and to the east of 121 Hawthorne Avenue that must be protected during all phases of construction. Please consult the Standard Tree Protection Forestry By-law 2006-279 and Special Provision No. F-5651 for the required tree protection standards.

Natalie Persaud, Planner

**Don Herweyer, Program Manager,
Development Review, Urban Services**