

Committee of Adjustment meeting: August 15, 2012, 13h00 at 101 Centrepointe Drive

File No. D08-01-12/B-00294 & D08-01-12/B-00295, (131, 133) 135 Springhurst Avenue

PURPOSE OF THE APPLICATIONS

The Owners want to demolish their existing dwelling and subdivide their property into 2 separate parcels of land in order to establish separate ownerships for each half of the proposed 3-storey semi-detached dwelling.

CONSENT IS REQUIRED FOR THE FOLLOWING

In order to proceed, the Owners require the Consent of the Committee for Conveyances and a Maintenance/Joint-Use Agreement. The Property is shown as Parts 1 & 2 on a Draft 4R-Plan filed with the applications and the separate parcels will be as follows:

Application No.	Part No.	Frontage	Depth	Area	Municipal Address
B-00294	1	13.39 m (Springhurst)	11.69 m	155.5 m ²	133 Springhurst Avenue
B-00295	2	8.79 m (Simcoe)	15.81 m	154.8 m ²	131 Springhurst Avenue

File No. D08-02-12/A-00269 & D08-02-12/A-00270, (131, 133) 135 Springhurst Avenue

PURPOSE OF THE APPLICATIONS

The Owners have filed Consent Applications (D08-01-12/B-00294 & D08-01-12/B-00295) which, if approved will have the effect of creating 2 separate parcels of land both of which as well as the proposed development will not be in conformity with the requirements of the Zoning By-law. The Owners propose to construct a 3-storey semi-detached dwelling, as shown on plans filed with the Committee.

RELIEF REQUIRED

In order to proceed, the Owners require the Authority of the Committee for Minor Variances from the Zoning By-laws as follows:

A-00269: 133 Simcoe Street, Part 1 on the Draft 4R-Plan, one half of the proposed semi-detached dwelling.

Under Zoning By-law 2008-250:

- a) To permit a reduced lot area of 154.8 square metres whereas the By-law requires a minimum lot area of 165 square metres.
- b) To permit a reduce rear yard setback of 0 metres and a reduced rear yard lot area of 0 square metres whereas the By-law requires a minimum rear yard setback of 4.0 metres and a minimum rear yard lot area of 25% of the lot area (in this case 38.7 square metres).

For Bylaw purposes Simcoe Street is deemed to be frontage for this property.

A-00270: 131 Springhurst Avenue, Part 2 on said plan, the other half of the proposed semi-detached dwelling

Under Zoning By-law 2008-250:

- c) To permit a reduced lot area of 155.5 square metres whereas the By-law requires a minimum lot area of 165 square metres.
- d) To permit a reduced rear yard setback of 2.13 metres and a reduced rear yard lot area of 18% (28.3 square metres) whereas the By-law requires a minimum rear yard setback of 4.0 metres and a minimum rear yard lot area of 25% of the lot area (in this case 38.9 square metres).

Under Zoning By-law Amendment 2012-147 (New Infill Development Regulations):

- e) To permit the covered porch to project 1.37 metres into the front yard whereas the By-law allows a permitted projection to project an amount equal to the extent of the existing projections of the same type, facing the same street and located on existing buildings on abutting lots, (in this case there are no covered porch projections on the abutting lots).
- f) To permit the front entry canopy to project 1.50 metres into the front yard whereas the By-law allows a permitted projection to project an amount equal to the average extent of the existing projections of the same type, facing the same street and located on existing buildings on abutting lots, (in this case there are no canopy projections on the abutting lots).
- g) To permit the second floor balcony to project 0.98 metres into the front yard whereas the By-law allows
a permitted projection to project an amount equal to the average extent of the existing projections of the
same type, facing the same street and located on existing buildings on abutting lots, (in this case there
are no balcony projections on the abutting lots).

THE APPLICATIONS indicate that the Property is the subject of current Consent Application as noted above.

OECA position: In pre-consultation with the owners in early July, the OECA's planning committee were supportive of the project, believing it to be a good example of infill at a reasonable scale. Subsequent discussion with neighbours has shown considerable concern over shadows arising from 3 storey construction. A shadow study derived from the applicant's current computer model for the project could potentially help resolve some concerns. It is noted that 3 storey construction is permissible under the current bylaw.