



## COMMITTEE OF ADJUSTMENT

HEARING DATE: April 15, 2008

### Staff Comments Regarding Files:

A10/08, A11/08, & B04/08

#### A10/08 – 465 Crystal Drive -- Terri Elliott & M. Lynn Nolan

The applicant had constructed a small, 7.5 square metre (80 sq ft) shed on the property located next to the street lot line. Although the building is of a size that would not have required a building permit, the structure should be located in accordance with the by-law and be setback from the street line. A variance is requested to reduce the minimum building setback from the street line from 6 metres (19.6 ft) to 0.08 metres (one inch) to permit the 7.5 square metre shed to remain where it is as illustrated on Exhibit A. The shed is actually a pool shed with plumbing associated with the pool filter system installed within the structure.

Staff visited the site and noted that the swimming pool on the property is enclosed by a high board fence that also encloses the shed. Staff also noted that a supermailbox is located on the boulevard in front of the shed. Staff is of the opinion that the existence of the mailbox and the high board fence in this case minimizes the impact of building massing by the proximity of the shed to the street.

Considering the unique circumstances of the streetscape, the cost associated with relocating the shed and its contents and the absence of there being any alternative location within the enclosed yard next to the pool, Staff would not object to the Committee granting the variance as described.

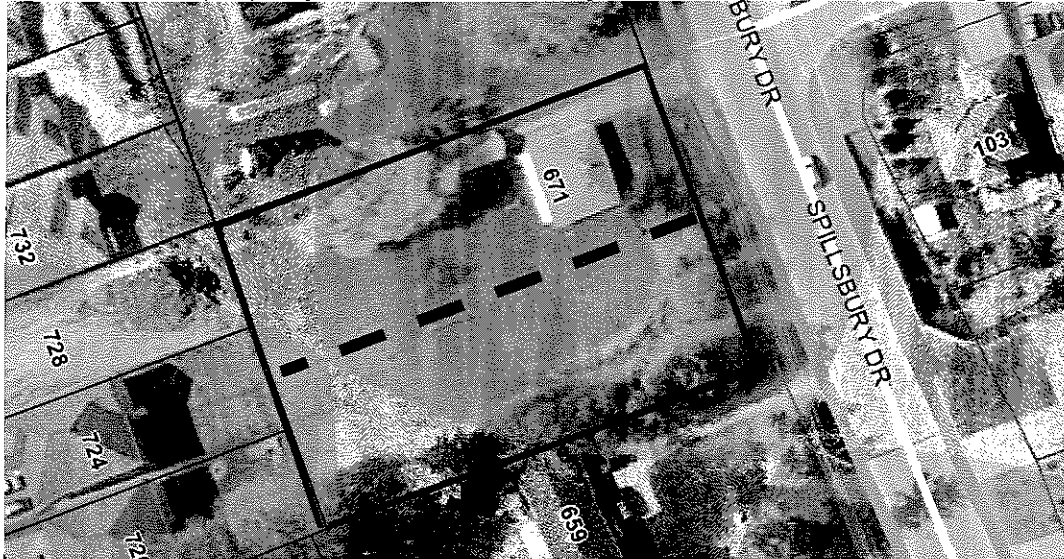
#### A11/08 – 550 Lansdowne Street West - 938804 Ontario Inc.

The subject property is the site of Heritage Plaza – an automobile oriented service commercial site zoned SP 217 Commercial. The zoning permits a “bank” among other uses including an “office.” The applicant has described the proposed use as a financial institution or loan company. Although a bank may be considered a “financial institution or loan company”, such uses are not specifically listed within the SP 217 commercial district as they are in other commercial districts such as the C.3 Commercial District.

Staff considered the description of the financial services establishment by the applicant and is of the opinion that the use is a component of a bank and could therefore be regarded as similar to a bank or an office that is a permitted use by the Special District 217 zoning. Subject to concerns raised by neighbouring property owners, Staff would not object to the Committee granting a variance to permit a financial institution or loan company as a use considered similar to a bank and that would function like an office. Considering the regulations of the SP.217 zoning District, Staff would recommend that the scale of the operation be limited to a maximum of 235 square metres.

**B04/08 – 671 Spillsbury Drive - Gladys Lillian Johnson**

Referring to the plan attached as Exhibit B, the applicant would like to sever the northerly 22 metres of the subject property upon which a dwelling exists and retain the southerly 22 metres of the property as a future building lot for a single unit dwelling.



**671 Spillsbury Drive**

The property is zoned R.1, 1m, 2m Residential district that would permit a lot with a minimum width of 15 metres and a lot area of 465 sq metres. Both the severed and retained parcels would comply with the zoning by-law. Although no variance would be involved with the severance, Staff would recommend that the Committee impose a condition that the owner of both portions of the property be required to enter into an agreement requiring that the design of buildings on either parcel be approved by the Planner of Urban Design prior to issuance of a building permit to ensure compatibility with the established standard of development in the neighbourhood.

Staff would recommend the Committee grant the consent requested subject to the following conditions:

- 1) that the owner enter into an agreement requiring that:
  - a. the design of any new dwelling on either the severed or retained parcel be approved by the Planner of Urban Design prior to issuance of a building permit, to ensure compatibility with the established standard of development in the neighbourhood, and
  - b. the existing dwelling on the property be connected to municipal services prior to transfer of either the severed or retained parcel.
- 2) The owner pay a tree levy in the amount of \$275.00.

Respectfully submitted,

**Richard Straka**  
Planner Policy & Research

**R. Waldron, C.E.T., CBCO**  
Manager, Building Division



