



Staff Comments Regarding Files: A10//10, A11/10, A12/10, & A13/10

A10/10 - 612 Romaine Street – Mike & Marylyn Tompkins

The owner would like to construct a 9.14 metre (30ft) by 2.4 metre (8ft), covered verandah across the front of the easterly portion of the dwelling. A variance is therefore requested to reduce the minimum building setback from the centre line of Romaine Street from 19 metres (62.3 ft) to 14.27 metres (46.81 ft) to allow the proposed verandah.

Romaine Street between High Street and Monaghan Road is a low capacity collector street. The width of the road allowance is scaled to be 18.2 metres (60 ft). Staff observed from the air photo and a visit to the neighbourhood that the setback of dwellings from the street line in the vicinity of the subject property are irregular. The following table lists the setback of dwellings in the vicinity of the subject property from the street line:

<b>Address</b>	<b>626</b>	<b>624</b>	<b>620</b>	<b>612 ←</b>	<b>604</b>	<b>602</b>
Setback (in ft)	20.5	20.5	11.72/19.32	20.9	20.9	22.7
<b>Romaine Street</b>						
Setback (in ft)	18	18	20.0	20	14.46	17
<b>Address</b>	<b>631</b>	<b>627</b>	<b>619</b>	<b>615</b>	<b>611</b>	<b>607</b>

Staff visited the subject property and considered the established setback of other dwellings in the vicinity of the subject property and is of the opinion that the impact of the variance sought would be minor. The proposed open verandah would add to the aesthetics of the dwelling and the functional access to the building without being a departure from the established standard of development in the neighbourhood.

Subject to concerns raised by neighbouring property owners, Staff would not object to the Committee granting the variance as described.

A11/10 – 27 Charles Street - Marty & Kathy Laskaris

The owner would like to construct a new garage attached to the east side of the dwelling by a breezeway. A variance is therefore requested to reduce the minimum building setback from the centre line of Burnham Street from 19 metres (62.3 ft) to 17.85 metres (58.56 ft) to permit the proposed addition as illustrated on the plan attached as Exhibit A.

The subject property is located at the south west corner of the intersection of Charles Street and Burnham Street. Charles Street is a local street but Burnham Street is a

collector street with an 8.25 ft wide ornamental reserve and a significant grade separation of approximately 1.2 metres (4ft) to 2.4 metres (8ft) between the developed property and the roadway.

Staff visited the site and noted that the grade separation is heavily treed and no sidewalk exists on the west side of Burnham street from Maria to Charles Street. Staff considered the unique relationship of the development of this property and its flankage along Burnham Street and is of the opinion that the impact of the variance sought would be minor.

Subject to concerns raised by neighbouring property owners, Staff would not object to the Committee granting the variance as described.

**A12/10 – 843 Cumberland Avenue - Marylee Bush**

The owner would like to construct a verandah including an extension of the roof over a patio wrapping around the west, north and east sides of the dwelling on the property.

The subject property is located at the southeast corner of the intersection of Cumberland Avenue and Franklin Drive as shown on the Plan attached as Exhibit B. Cumberland Avenue is a low capacity arterial road and Franklin Drive is a low capacity collector street. Considering the designation of the two streets, the following variances to the by-law are required to allow the covered verandah on the dwelling including the west portion that is partially constructed:

Regarding the existing verandah on the west side of the dwelling:

- i) reduce the minimum building setback from the centre line of Franklin Drive from 19 metres (62.3 ft) to 15.6 metres (51.18 ft);
- ii) reduce the minimum building setback from the centre line of Cumberland Avenue from 24.4 metres (80 ft) to 14.9 metres (48.8 ft) ;

Regarding the proposed verandah across the front of the dwelling:

- i) reduce the minimum building setback from the centre line of Cumberland Avenue from 24.4 (80ft) metres to 14.9 metres (48.8 ft);
- ii) reduce the minimum setback of a 1 metre high hand rail, associated with the verandah, from the intersection of Cumberland Avenue and Franklin Drive from 21.3 (69.8 ft) metres to 20.8 metres (68.24 ft),

Regarding the proposed verandah on the east side of the dwelling:

- i) reduce the minimum building setback from the centre line of Cumberland Avenue from 24.4 metres (80 ft) to 17.7 metres (58 ft).

Staff visited the site and considered the established development of dwellings in the vicinity by way of the air photos and the survey information in the table below:

Cumberland									
Setback (in ft)	28.5	29	20				22.19	30	
Address	877	871	859	33.5			18.3	843	833
			1337	24			24	1340	
			1331	33			30	850	
			1323	36					
			Address	Setback (in ft)	Franklin	Setback (in ft)	address		

Staff noted that while dwellings in the area were constructed in the late 1960's the by-law applied in 1972 and the Official Plan designation of the roadways in the mid 1980's resulted in the location of the dwellings in relation to the two roadways being non-conforming. City records revealed that carport additions to the dwellings at 877 and 859 involved minor variances in the late 70's and 80's to recognize the established building line in relation to Cumberland Avenue.

Staff considered the established building line in relation to Cumberland Avenue and noted that the building on the subject property is already non-conforming and appears to extend out in front of the dwelling on the adjacent property to the east. Considering the established standard, and the way variances have been dealt with in the past, staff would like to be as consistent as possible and therefore cannot support a variance requested to reduce the minimum building setback from the centre line of Cumberland Avenue any closer than the dwelling established on the property. Staff is recommending that the variance to reduce the minimum building setback from the centreline of Cumberland Avenue to 14.9 metres to permit the verandah across the front of the dwelling be denied.

Staff considered the established building line of dwellings along Franklin Drive noting particularly the portion of the dwelling to the immediate west on Franklin Drive that extends approximately 1.8 metres (6 ft) closer to the street line than the building line of other dwellings along Franklin Drive. Considering this anomaly, and the bend in the roadway to the 90 degree intersection with Cumberland street, the projection of the partially constructed verandah does not appear to be a significant irregularity. Staff carefully considered the sight lines in relation to the intersection of Franklin Drive and Cumberland Avenue and noted there to be no visual obstruction at this time within 21.3 metres of the intersection of the centreline of the two streets. The railing in relation to the verandah is located 22.8 metres from the intersection and while the chain link fence would be 17.6 metres if located on the lot line, it is not defined as a visual obstruction so no variance is required. Considering the survey information, the chain link fence should be relocated off of the city boulevard.

The structure over the verandah was established without a building permit May 9, 2010. Considering the established standard of development in the neighbourhood and the way variance applications were dealt with in the past, staff would support a variance to reduce the minimum building setback from the centreline of Cumberland Avenue from 24.4 metres (80 ft) to 20 metres (65.6 ft) and from 19 metres (62.3 ft) to 17 metres (55.7) in relation to the centreline of Franklin to permit a smaller, 1.8 metre (6 ft) by 5.4 metre (18 ft) verandah in relation to the west side of the building. Staff would also support a variance to and reduce the minimum building setback from the centreline of Cumberland

from 24.4 metres (80 ft) to 17.6 metres (57.8 ft) to permit the 3.3 metre (11 ft) by 7.62 metre (25 ft) verandah on the east side of the dwelling to be in line with the setback of the dwelling as established in relation to Cumberland Avenue.

Subject to concerns raised by neighbouring property owners, staff would not oppose the variances to reduce the minimum building setback from Cumberland Avenue and Franklin Drive to recognize the location of the structure as established provided that a building permit is acquired and the structure complies with the Ontario Building Code.


**A13/10 – 295 George Street North - Sin City Allan Nelson**

Referring the Plan attached as Exhibit C, the owner would like to expand the enclosed deck located to the rear of the building on the property as an addition to the out door patio. A variance is therefore requested to increase the maximum building coverage from 80% to 91%.

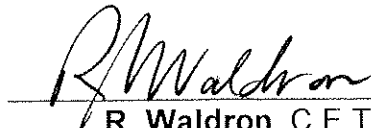
The subject property is located within the Central Area of the City and is zoned C.6 Commercial. The proposal to expand the patio area would increase the maximum lot coverage by building from 80% to 91% occupying a paved area behind the building used occasionally for parking two motor vehicles. According to city map information the area is beyond the Jackson Creek flood plain and space on the property remains available for storage of a refuse container accessed by a driveway over an easement along the north limit of the property.

Considering the nature of the intensity of commercial land use and development in the commercial core area staff is of the opinion that the proposed addition will not affect the functionality of the property and the impact of the variance would be minor. Subject to concerns raised by neighbouring property owners, Staff would not object to the Committee granting the variance as described.

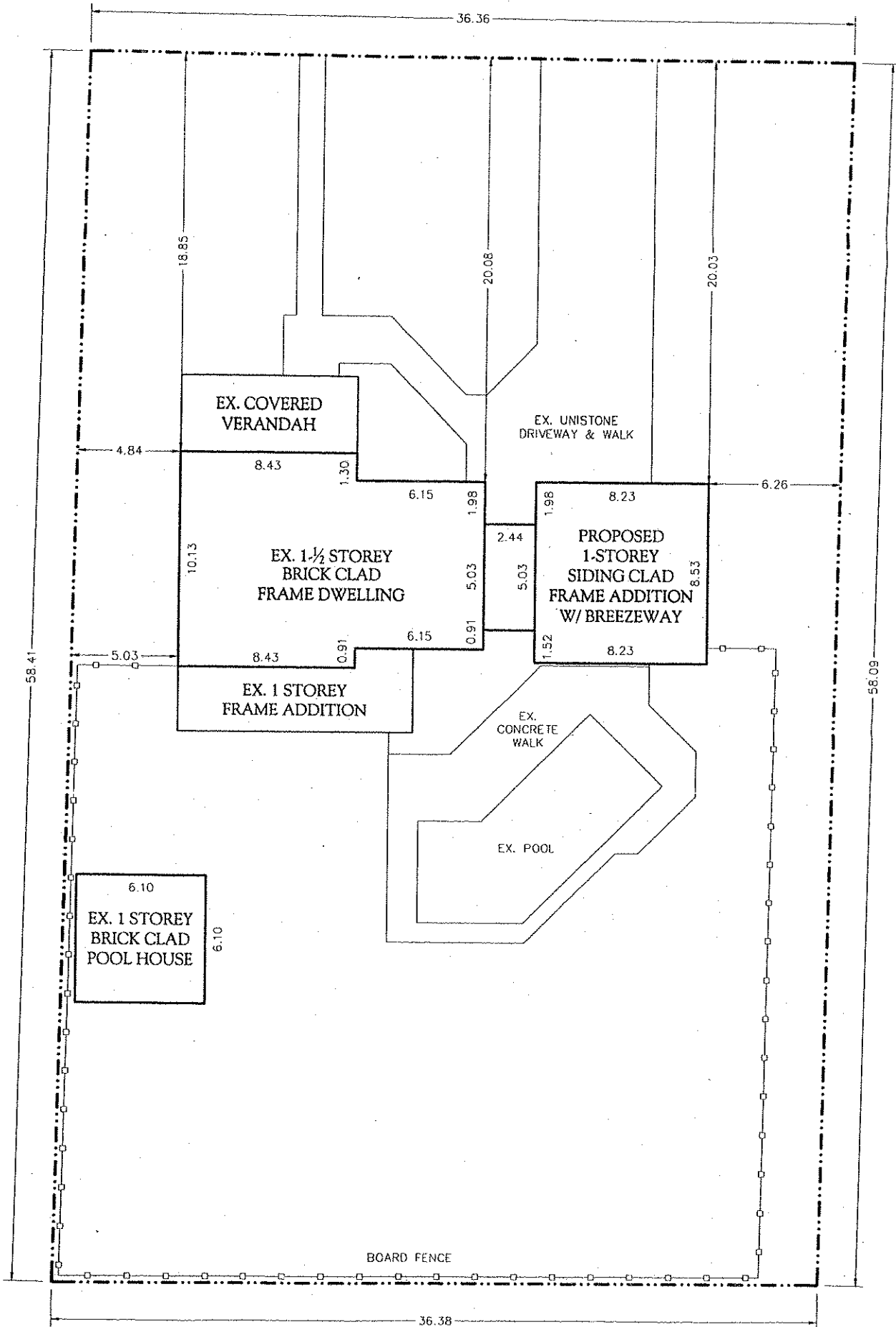
Respectfully submitted,



**Richard Straka**  
Planner Policy & Research



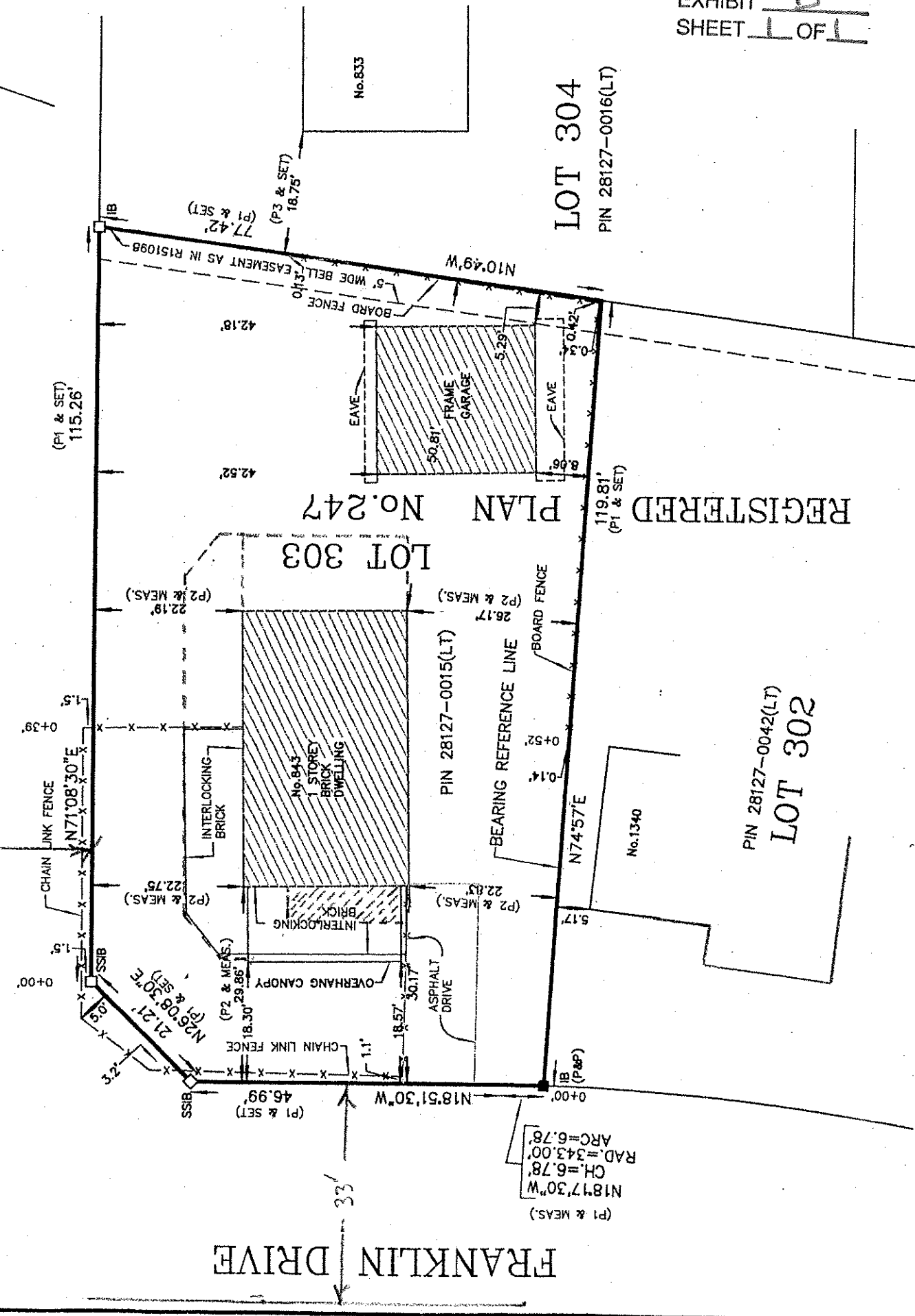
**R. Waldron, C.E.T., CBCO**  
Manager, Building Division



BURNHAM STREET

CUMBERLAND AVENUE

PIN 28412-0002(LT)



(P1 & SET)  
115.26'

(P2 & MEAS.)  
22.18'

N71°08'30"E  
0+39'

(P2 & MEAS.)  
22.75'

(P2 & MEAS.)  
29.86'

(P1 & SET)  
46.99'

(P1 & SET)  
77.42'

(P3 & SET)  
18.75'

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PART 1 PLAN 45R1478

PART 2 PLAN 45R1478

PART 3 PLAN 45R1478

(NORTH OF STREET AND WEST OF GEORGE STREET)

LOT 3

LOT 2

LOT 7

LOT 6

BLOCK 11

REGISTERED PLAN No.11

3 STOREY BRICK BUILDING No.295

GEORGE STREET

**BEARING NOTE:**  
BEARINGS ARE ASTROMOMIC, DERIVED FROM THE NORTHERLY LIMIT OF PART 1, PLAN 45R10903 HAVING A BEARING OF N86°50'E

**LEGEND:**

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- ▣ DENOTES STANDARD IRON BAR
- ▢ DENOTES IRON BAR
- ▧ DENOTES CUT CROSS
- WIT DENOTES WITNESS
- P1 DENOTES PLAN 45R-10903
- P2 DENOTES PLAN 45R-10354

**SURVEYOR'S CERTI**

1. I CERTIFY THAT THIS SURVEY AND PLAN WITH THE SURVEY'S ACT REGULATIONS MADE UNDE
2. THE SURVEY WAS COMPL

27 APRIL 2010

ASSOC LA PLA  
THE UNCLE  
ISSU  
Regula

