

**MINOR VARIANCE APPLICATION**  
**Under Section 45 of the *Planning Act***

**To be held on Wednesday, February 6, 2019 starting at 1:00 p.m.**  
**Ben Franklin Place, The Chamber, Main Floor, 101 Centrepointe Drive**

**File No.:** D08-02-18/A-00088  
**Owner(s):** 178 Carruthers Property Inc.  
**Location:** 178 Carruthers Avenue  
**Ward:** 15 - Kitchissippi  
**Legal Description:** Part Lots 19 & 20, Reg. Plan 83  
**Zoning:** R4S  
**Zoning By-law:** 2008-250

**PURPOSE OF THE APPLICATION:**

In May 2018, the Committee of Adjustment adjourned this application in order to allow time to clarify whether all of the required variances had been identified. The Owner wants to proceed with the application as originally filed.

The Owner wants to demolish the existing building and to construct a 15 unit, four-storey low-rise apartment building, as shown on plans filed with the Committee. The application indicates that seven parking spaces, as well as bicycle storage, will be located on one level of underground parking.

**RELIEF REQUIRED:**

In order to proceed, the Owner requires the Authority of the Committee for Minor Variances from the Zoning By-law as follows:

- a) To permit a reduced northerly interior side yard setback of 1.5 metres, whereas the By-law requires a minimum interior side yard setback of 2.5 metres where the building wall is greater than 11 metres in height.
- b) To permit a reduced southerly interior side yard setback of 2.0 metres, whereas the By-law requires a minimum interior side yard setback of 2.5 metres where the building wall is greater than 11 metres in height.
- c) To permit a reduced rear yard area of 14.66% of the lot area or 83 square metres, whereas the By-law requires a minimum rear yard area of 25% of the lot area or, in this case, 141.6 square metres.
- d) To permit a reduced rear yard setback of 4.1 metres, whereas the By-law requires a minimum rear yard setback of 7.5 metres, for the portion of the property that abuts the OP1 zoning designation.
- e) To permit an increased building height of 16.5 metres at the top of the roof terrace, whereas the By-law permits a maximum building height of 14.5 metres.
- f) To permit a reduced landscaped area of 28% of the lot area or 160 square metres, whereas the By-law requires a minimum landscaped area of 30% of the lot area or, in this case, 170 square metres.

**THE APPLICATION** indicates that the Property is not the subject of any other current application under the *Planning Act*.