



## Report Committee of Adjustment

**Filing Date:** October 30, 2023  
**Hearing Date:** December 19, 2023

**File:** A-2023-0336

**Owner/  
Applicant:** Surjit Thind/  
Rebecca Muise, David Small Designs

**Address:** 30 Bellini Avenue

**Ward:** WARD 10

**Contact:** Ramsen Yousif, Development Planner

---

### **Recommendations:**

That application A-2023-0336 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
  2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
- 

### **Background:**

#### Existing Zoning:

The property is zoned 'Residential Rural Estate Two (RE2)', according to By-law 270-2004, as amended.

#### Requested Variance:

The applicant is requesting the following variance:

1. To permit a building height of 12.06 metres, whereas the by-law permits a maximum building height of 10.6 metres

### **Current Situation:**

1. Maintains the General Intent and Purpose of the Official Plan

The subject property is designated 'Estate Residential' in the Official Plan and is also located in the Toronto Gore Rural Estate Secondary Plan (Area 26) which is currently undergoing a policy review.

The Estate Residential designation supports the current use and the requested variance to increase building height is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variance to increase the building height is considered to maintain the general intent and purpose of the Official Plan.

## 2. Maintains the General Intent and Purpose of the Zoning By-law

The property is zoned 'Residential Rural Estate Two (RE2)', according to By-law 270-2004, as amended.

The Minor Variance requested is to permit a building height of 12.06m (39.46 ft.) whereas the by-law permits a building height of 10.6m (34.78 ft.). The intent of the by-law in regulating the maximum permitted building height for a property is to prevent a mass and scale that appears larger than dwellings in the surrounding neighbourhood and reduce impacts of shadowing and overlook.

There is currently an existing dwelling on the property and the proposal is to demolish the existing dwelling and rebuild a custom home on the property. The modest increase in height is created as a result of the planned rooftop terrace, located at the top of the planned building. The future building is proposed to have a similar setback than what the current building holds. Furthermore, the rear yard setback of the property abuts a conservation trail without any detrimental effects.

Despite the increased height, the proposed new dwelling will be significantly setback from neighbouring lots and the street line. The increased building height is not anticipated to negatively impact massing on adjacent properties as the proposed dwelling location is not setback near neighbouring dwellings. Subject to the recommend conditions of approval, the variance maintains the general intent and purpose of the Zoning By-law.

## 3. Desirable for the Appropriate Development of the Land

The variance requested is to permit an increased building height for a proposed new dwelling. The variance is required as a result of the rooftop terrace which will be located near the centre of the building footprint. The property is subject to the Older, Mature and Larger neighbourhood provisions of the Rural Estate area of the City. Lot sizes are larger in this area compared to the city average, which constitute to larger dwellings in the area.

The subject property lot size is large and is able to satisfactorily accommodate a proposed dwelling height of 12.06m without causing significant massing issues on the eastern and western neighbouring properties. Surrounding lots in the area are not anticipated to be negatively impacted by the proposed dwelling and rooftop terrace. Homes in the immediate vicinity of the subject property, and homes in the area, are mostly similar to the proposed height increase. Subject to the recommended conditions, the proposed variance is desirable for the appropriate development of the land.

#### 4. Minor in Nature

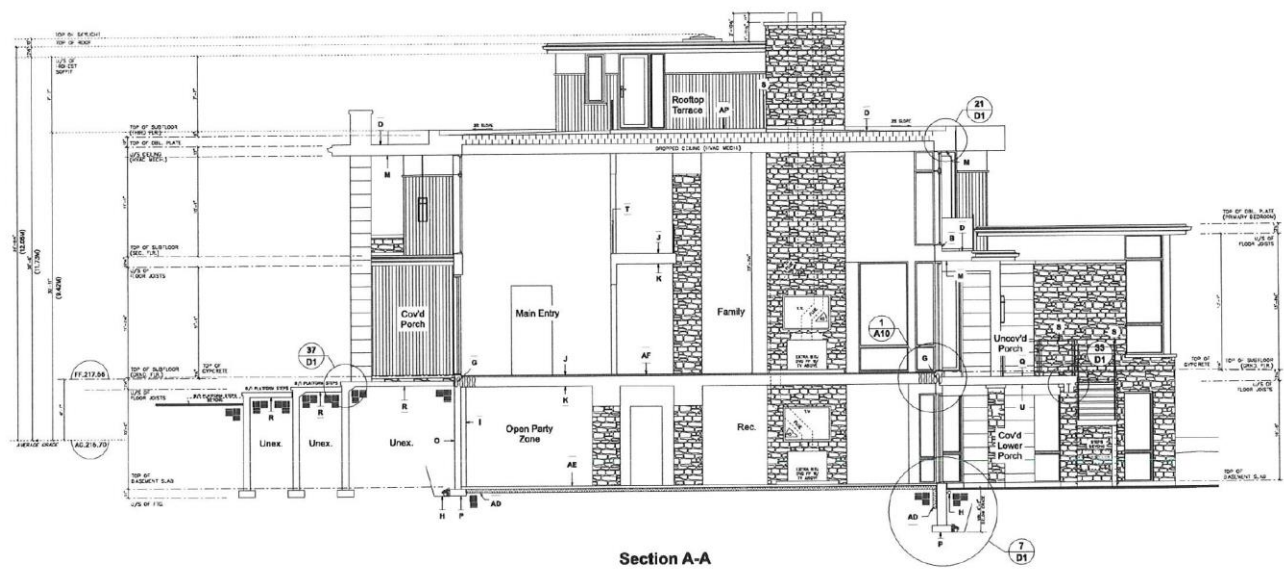
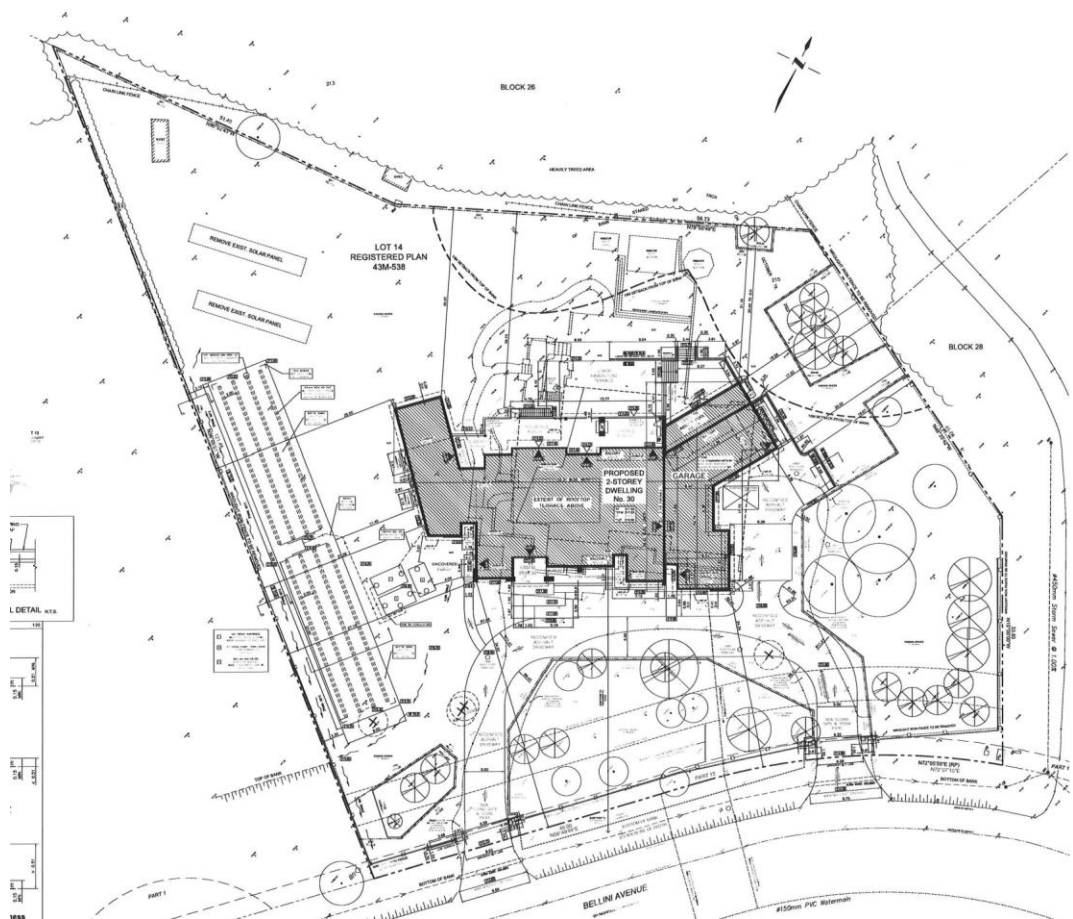
The requested variance is to permit a modest increased building height for a proposed new dwelling. The requested variance is not considered to impact massing on adjacent properties as the proposed dwelling location is not setback near neighbouring dwellings. Subject to the recommended conditions of approval, the variance is minor in nature.

Respectfully Submitted,

*Ramsen Yousif*

Ramsen Yousif, Development Planner, MCIP, RPP

Schedule A – Concept Plan





Schedule B – Site Visit Photos

